DOCUMENT RESUME

ED 129 126 HE 007 987

TITLE	Report of the Committee on Governance. For Master Plan Phase IV.
INSTITUTION	Illinois State Board of Higher Education, Springfield. Master Plan Committee.
PUB DATE	6 Oct 75
NOTE	91p.
EDRS PRICE	MF-$0.83 HC-$4.67 Plus Postage.
DESCRIPTORS	Advisory Committees; Affiliated Schools; College Administration; *College Cooperation; Community Colleges; Cooperative Planning; *Governance; *Governing Boards; *Higher Education; *Master Plans; Questionnaires; State Universities; *Statewide Planning; University Administration
IDENTIFIERS	*Illinois

ABSTRACT

The way in which colleges and universities in Illinois are affiliated with one another is examined. The report assesses current affiliations as well as recommendations for some changes. Data were gathered via oral testimony and questionnaires mailed to the chairmen of all public governing and coordinating boards, system executive officers, presidents of all public and private colleges and universities, chairpersons of advisory committees to the Board of Higher Education, and selected groups known to be interested in education in Illinois. On the basis of responses gathered, it appears that coordination and governance in Illinois are primarily a concern of the public institutions in the state and among these institutions more of a concern to universities than community colleges. Recommendations are made regarding the "system of systems" continuance and the roles of the Board of Higher Education and of system boards. (LBH)

****
* Documents acquired by ERIC include many informal unpublished *
* materials not available from other sources. ERIC makes every effort *
* to obtain the best copy available. Nevertheless, items of marginal *
* reproducibility are often encountered and this affects the quality *
* of the microfiche and hardcopy reproductions ERIC makes available *
* via the ERIC Document Reproduction Service (EDRS). EDRS is not *
* responsible for the quality of the original document. Reproductions *
* supplied by EDRS are the best that can be made from the original. *
****

ED129126

REPORT OF THE COMMITTEE

ON GOVERNANCE

FOR MASTER PLAN PHASE IV

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY.

HE007927

October 6, 1975

MEMBERS OF THE COMMITTEE ON GOVERNANCE

FOR MASTER PLAN-PHASE IV

Edward H. Armstrong, Chairperson

William W. Allen

Lee O. Dawson

Mrs. Carol K. Kimmel

Dr. J. Roscoe Miller

Keith I. Parsons

E. K. Scheiter

William Day

Jack T. Knuepfer

Robert Johnston

Staff for the Committee:

John W. Huther

Heather Haberaecker

CONTENTS

I. INTRODUCTION

II. A SYSTEM OF SYSTEMS

III. BOARD OF HIGHER EDUCATION

IV. SYSTEM BOARDS

Bibliography

Appendix A - Responses to the Committee's Questionnaire

Appendix B - Attorney General's Opinion on the Superintendent of Public Instruction

Appendix C - Selected Data Related to Coordinating and Governing Boards

I

INTRODUCTION

This report deals with the way in which colleges and universities in Illinois are affiliated with one another. It provides an assessment of current affiliations as well as recommendations for some changes.

In its deliberations, the Committee on Governance took into account the Report of Committee N on Governing Structure which was submitted to the Board of Higher Education for Master Plan Phase III in 1971. The present Committee also gave careful consideration to proposed statutory changes in the organization of higher education which were introduced during the 1974 and Spring 1975 sessions of the General Assembly.

Recent Change. The current organization of higher education in Illinois is the product of statutory changes which have occurred over the past twenty-five years. These changes are documented and analyzed in two publications ("The Politics of Public Higher Education: Illinois" by S. Gove and C. Floyd and Governance of Illinois Higher Education, 1945-74 by B. Keenan). The chronology of the major changes is as follows:

1949 - Southern Illinois University Board established

1961 - Board of Higher Education established

1965 - Board of Governors established

1965 - Community College Board established

1967 - Board of Regents established

Study Procedures. The Executive Director of the Board of Higher Education proposed to the Committee that it assess the effectiveness of coordination and governance of higher education in Illinois. The Committee accepted this as a general charge to guide its work in eight meetings over a period of five months.

The Committee developed a brief questionnaire as a means of inviting counsel on coordination and governance. It was mailed on May 9, 1975 to the following people in Illinois: the chairmen of all public governing and coordinating boards, system executive officers, presidents of all public and private colleges and universities, chairpersons of advisory committees to the Board of Higher Education, and selected groups known to be interested in education in Illinois. The presidents of institutions were urged to distribute the questionnaire to such organized campus groups as faculty, students, and nonacademic employees.

Appendix A to this report contains the questionnaire and extensive quotations from the responses. Written responses were received from all system executive officers, from 7 of the 13 public university or campus heads, from 2 of the presidents or chancellors of the 39 community college districts, and 4 of the 58 private colleges and university presidents. On the basis of these responses, it appears that coordination and governance in Illinois are primarily a concern of the public institutions in the state and among these institutions more of a concern to universities than community colleges.

In addition to receiving written questionnaire responses, the Committee heard oral testimony from the individuals listed below. They met with the Committee over the course of three meetings in the following order:

Dr. Jerome M. Sachs, Acting Executive Director, Board of Governors
Dr. John W. Corbally, President, University of Illinois
Mr. Earl L. Neal, President, Board of Trustees, University of Illinois
Mr. Earl M. Hughes, Former President, Board of Trustees, University of Illinois
Mr. Howard Clement, Former President, Board of Trustees, University of Illinois
Dr. Fred Wellman, Executive Secretary, Community College Board
Mr. Rey W. Brune, Chairman, Community College Board
Dr. James M. Brown, General Secretary, Board of Trustees, Southern Illinois University
Mr. Ivan A. Elliott, Jr., Chairman, Board of Trustees, Southern Illinois University
Dr. J. Roger Miller, Chairman of the Federation of Independent Colleges and Universities and President of Millikin University
Dr. Martin G. Abegg, Chairman, Board of Higher Education Non-public Advisory Committee and President of Bradley University
Mr. Alban Weber, President, Federation of Independent Colleges and Universities
Mr. Robert Murphy, Chairman, Associated Colleges of Illinois
Mr. J. Robert Barr, Chairman, Board of Regents
Dr. Franklin G. Matsler, Executive Director, Board of Regents
Mr. Oscar E. Shabat, Chancellor, City Colleges of Chicago
Mr. Hugh Hammerslag, Chairman, Illinois Community College Trustees Association
Dr. L. H. Horton, Jr., Executive Secretary, Illinois Community College Trustees Association
Mr. Richard J. Nelson, President, Northern Illinois University
Dr. Richard D. Poll, Vice President for Administration, Western Illinois University
Mr. James Zerkle, Board of Higher Education Student Board Member
Mr. Michael Booker, Chairperson of the Board of Higher Education Student Advisory Committee
Mr. Robin Roberts, Chairperson of the Association of Illinois Student Governments

Mr. James C. Worthy, Chairman, Committee "N" for Master Plan Phase III and Professor at Sangamon State University
Dr. Donald M. Prince, Chairman, Board of Higher Education
Mr. James M. Furman, Executive Director, Board of Higher Education

Conclusions and Recommendations. Committee deliberations were based on published materials referenced in this report, written responses to its questionnaire, oral testimony, and data presented in the appendices. Results of Committee's deliberations are summarized in the following conclusions and recommendations:

System of Systems

1. The definitions of coordination, governance, and administration are essentially sound and adequate. Within the university sector, these definitions should continue to serve to distinguish among the respective roles of the Board of Higher Education (coordination), governing boards (governance) and individual institutions (administration). Within the community college sector, they should continue to distinguish among the coordinating roles of the Board of Higher Education and the Community College Board and the governance role of local boards of trustees.

2. A "system of systems" should be continued.

3. Because some realignment within the "system of systems" may be desirable, the study of realignment should be continued. Realignment should take careful consideration of clear statements of institutional mission as set forth in Master Plan Phase IV, balance of systems, institutional size, makeup of the student body, area realtionships, and such other considerations as a study committee may deem necessary.

Board of Higher Education

4. Only members of the Board of Higher Education appointed specifically to that Board by the Governor should be accorded voting privileges. Representatives of the systems should continue to serve on the Board with full rights of membership except the right to vote. Representation of the public at large should be increased from ten to eleven members.

5. All statutes pertaining to higher education boards should be modified by removing the Superintendent of Public Instruction or his successor from such boards. (This applies to the Board of Higher Education and system boards.)

6. According to testimony presented to the Committee, the Board of Higher Education has improved since the early 1970's in the

effectiveness with which it has carried out its statutory responsibilities.

7. The authority and responsibilities of the Board of Higher Education should be preserved.

System Boards

8. The voting members of all system boards should continue to be public members. All boards should continue to provide access to constituency representatives.

9. No more than a simple majority on system boards should be from one political party.

10. The Board of Higher Education should urge establishment of a search committee or other organized means for identifying good candidates for appointments to system boards. A list of such candidates should be presented to the Governor from time to time for his consideration.

11. The statutes should be changed to provide an appointed board of nine members for the University of Illinois.

12. The governance of the State Community College of East St. Louis should be removed from the Illinois Community College Board. A separate board should be appointed by the Governor to serve for a period not to exceed five years during which time the East St. Louis area must become a regular community college district or become part of an existing district. If such a status cannot be established, the institution should be assigned by the Board of Higher Education to some university for administration and governance.

13. The Board of Higher Education should undertake a study of the statutes affecting higher education with a view toward their codification and clarification.

II

A SYSTEM OF SYSTEMS

Public colleges and universities in Illinois are organized in accordance with State statutes. The statutes provide for six boards which have broad responsibilities for these institutions. Among the boards, the Board of Higher Education has responsibilities for all colleges and universities.

Each of the other five boards has responsibilities for a segment of the State's public institutions. There are four university boards--the Board of Governors, the Board of Regents, the Board of Trustees of Southern Illinois University, and the Board of Trustees of the University of Illinois. The fifth board is the Illinois Community College Board. Institutions affiliated with each system are as follows:

Board of Governors

- Chicago State University
- Eastern Illinois University
- Governors State University
- Northeastern Illinois University
- Western Illinois University

Board of Regents

- Illinois State University
- Northern Illinois University
- Sangamon State University

Southern Illinois University

- Carbondale
- Edwardsville

University of Illinois

- Chicago Circle
- Medical Center
- Urbana/Champaign

Illinois Community College Board

- 39 Community College Districts

Taken as a whole, these six boards form a structure of related parts or a system. The Board of Higher Education has some responsibilities for the entire system. At the same time, the other boards have responsibilities for segments of the system which are, in a sense, smaller systems within the entire system. In recent years, this structure has been referred to by many as a "system of systems."

Division of Responsibilities. A chief characteristic of the Illinois "system of systems" is the division of responsibilities among the six boards. Responsibilities which are assigned by statute to the Board of Higher Education are of a coordinating nature. Coordination includes but is not limited to the following statutory responsibilities:

1. Formulate a master plan for all sectors and programs of higher education;

2. Approve new units of instruction, research, or public service for public institutions;

3. Review existing programs and advise governing boards about the need for such programs;

4. Make recommendations for the appropriation of funds for all higher education activities;

5. Conduct surveys and evaluations of higher education;

6. Recommend legislation to the General Assembly to ensure the high quality of higher education;

7. Advise the Governor on matters related to higher education;

8. Establish and maintain an information system.

Responsibilities which are assigned to the university boards are intended to provide for the management, operation, control, and maintenance of universities. These are regarded as governance responsibilities. While there is variation among the statutes creating the boards, governance generally includes but is not limited to the following:

1. Make rules for the government and management of universities;

2. Make periodic inspections of universities;

3. Examine the management and administration of universities;

4. Employ personnel for universities;

5. Prescribe courses of study;

6. Issue diplomas;

7. Receive and administer gifts;

8. Enter into contracts;

9. Hold title to property.

Unlike the university boards, the Illinois Community College Board has responsibilities for 39 community college districts. Responsibilities which are assigned by statute to this board are of a coordinating nature. Coordination in this sector includes but is not limited to the following statutory responsibilities:

1. Provide statewide planning for community colleges;

2. Coordinate programs, services, and activities for a system of locally administered community colleges;

3. Conduct feasibility studies for new colleges;

4. Cooperate with colleges in conducting studies;

5. Determine efficient and adequate standards for the operation, maintenance, and administration of colleges;

6. Determine standards for the establishment of new colleges.

Each of the community college districts has a board of trustees. Responsibilities assigned by statute to these boards are of a governing nature. Governance includes but is not limited to the following responsibilities:

1. Adopt rules for the management and government of the college;

2. Employ personnel and fix their salaries;

3. Prepare budgets and provide for revenue necessary to operate the college;

4. Purchase land and build or buy buildings with State approval;

5. Lease buildings;

6. Enter into contracts;

7. Award certificates and diplomas.

All of the boards are made up of citizens who are appointed or elected to board membership. All serve without salary. Day-to-day management or administration of each institution is carried out by professional administrators employed by the governing boards.

Responsibilities for the operation of colleges and universities may be summarized as being divided among coordination, governance, and administration. The Committee on Governance concludes the following:

1. The definitions of coordination, governance, and administration are essentially sound and adequate. Within the university sector they should continue to serve to distinguish among the respective roles of the Board of Higher Education (coordination), governing boards (governance), and individual institutions (administration).

Within the community college sector, they should continue to distinguish among the coordinating roles of the Board of Higher Education and the Community College Board and the governance role of local boards of trustees.

Organization of the System

Nation-wide. Only two states (Nebraska and Vermont) lack a central state-level agency responsible for higher education. There are 29 states including Illinois which have a board or agency with coordinating responsibility for colleges and universities. The remaining 19 states have a state-level board or agency which has governing responsibilities.

Among the 29 states with coordinating agencies, at least 7 (California, Connecticut, Louisiana, Maryland, Massachusetts, Minnesota, Tennessee) have structures which are similar in some respects to Illinois. Like Illinois these states have one state-level board for coordination. Like Illinois they also have multicampus governing boards which receive some form of review by the coordinating board. In the remaining 21 states there are governing boards which receive review by the coordinating agency, but almost all of these boards have governing responsibility for only one campus. (Source: Education Commission of the States, "Survey of the Structure of State Coordinating or Governing Boards . . . as of January 1, 1975.")

In all 29 states including Illinois a pattern of divided responsibility prevails. One board coordinates and other boards govern. This pattern may embrace unique organizational features within each state and may have developed as the result of circumstances unique to each state. But the fact that the broad pattern prevails as it does in spite of great differences among states suggests that the division of responsibilities has merit.

Illinois. Widespread support for the "system of systems" was expressed in both written and oral testimony to the Committee. Advocates of the "system of systems" cautioned that there is no pressing need for change and that change should not be made for its own sake. One university president spoke of the need for stability. And the administrative head of one system warned against "structural tinkering at the expense of ongoing academic concerns."

Other advocates attempted to identify strengths in the present structure. One claimed that in practice "a genuine 'system of systems' model for governance in higher education is working, even though we have no adequate theory for the model and there exists no specific formulation of the understandings which permit the model to work." A governing board member claimed that "a balance is needed between local control and state centralization. The present system of systems is one illustration of that balance and seems to be reasonably effective." Finally, a system executive officer described the present structure as a reasonable "compromise between a single board with decisions made too far from the people affected and single institution boards."

Criticism of the division of responsibilities as embodied in the "system of systems" took several forms in testimony to the Committee. One university president complained of a "double scrub" or duplication of review between his governing board and the Board of Higher Education. His criticism also noted that the four governing boards are not equally rigorous in their review of campus requests. A separate governing board for each campus or university was suggested as the corrective measure.

Another university president observed that the need for approvals by his governing board and the Board of Higher Education sometimes hampered administration because of the time involved in the approval process. Still another criticism pointed to the high costs of maintaining a "middle man" (i,e., the governing boards). Implicit in both criticisms was the feeling that separate governing boards might correct such shortcomings.

It should be noted, however, that a structure of separate boards for each institution does not basically alter the concept of divided responsibilities. Under such a structure, one board still coordinates and other boards govern. Moreover, two levels of review and approval would exist as they do in the present "system of systems." The major gain to be realized in the proposal is that one approval level would be closer to individual campuses.

In the judgment of the Committee on Governance, the "system of systems" should be retained because it appears to be working well and no arrangement that appears to be superior has been proposed. Furthermore, it provides a division of responsbilities which is logical and apparently necessary based upon its existence in many other states. The Committee, therefore, makes the following recommendation to the Board of Higher Education:

2. A "system of systems" should be continued.

Realignment of Institutions

The report of Committee N in 1971 on governing structure detailed ways in which universities might be grouped differently than they are now. The present Committee on Governance reviewed these proposals for realignment of institutions and sought counsel on the need for changes in this regard. Specifically, the Committee invited response to the following question: "Should the boards for any of the five public systems of higher education be changed in any way in order to improve the effectiveness of governance and coordination?"

Reppondents to the question suggested two bases upon which institutions might be realigned. The first would group institutions according to similar functions. One respondent suggested this approach in the form of a modified California system in which the major universities, state colleges, and community colleges are aligned in three systems. Another respondent suggested placing institutions "more alike in tradition and program" under one Board.

The second proposed basis for realignment would group institutions according to location in a particular region of the State. Respondents suggested several approaches on this basis. One respondent proposed grouping all community colleges and universities in the Chicago Metropolitan area into a single system. Others proposed variations on a northern, central, and southern regional configuration.

Nation-wide. The grouping of institutions under multicampus governing boards in other states varies considerably. No pattern prevails in terms of the number of institutions or campuses under one multicampus board. Some boards have as few as two; others have over 30. In terms of the types of institutions under one board, there is also wide variation. Some boards are restricted to institutions of a single type: universities, state colleges, or community colleges. Other boards govern all types. Finally, there appears to be little evidence that other states have aligned institutions according to regional location. (See Appendix C, Table 1 for a listing of multicampus governing boards by state.)

Illinois. Many who presented written and oral testimony to the Committee argued against change in the present alignment of institutions. The general reason given was that any advantages derived from realignment would be outweighed by disadvantages.

Committee discussion of this issue took the following factors into consideration: interest in separate governing boards for universities, institutional mission, relationships between systems and the General Assembly, relationships among systems, distribution of resources among systems, enrollments, geographical locations of institutions and systems, and types of students served by institutions. The Committee noted that mission and enrollments are two important criteria upon which universities might be realigned. Further, the Board of Higher Education's recommendations on these two areas for Master Plan Phase IV should be taken into account before recommendations for realignment are formulated.

The Committee also noted that while change in the grouping of institutions may not be required immediately, such change may be desirable in the future. For these reasons, the Committee makes the following recommendation to the Board of Higher Education:

3. Because some realignment within the "system of systems" may be desirable, the study of realignment should be continued. Realignment should take careful consideration of clear statements of institutional mission as set forth in Master Plan Phase IV, balance of systems, institutional size, makeup of the student body, area relationships, and such other considerations as a study committee may deem necessary.

III

BOARD OF HIGHER EDUCATION

Membership on the Board of Higher Education and the statutory responsibilities of the Board were the two major topics related to the Board which were examined by the Committee on Governance.

Board Membership

Nation-wide. The composition of boards which serve as the central state coordinating or governing board in each state varies widely.

The number of members on such boards ranges from a low of 8 to a high of 32. The most common number of members is 9. Eleven states have this many members on their boards. The Illinois Board has 17 in accordance with its enabling Act.

Whether or not board members represent special constituencies also varies. In addition to Illinois, 14 states have some members who represent the general public and some who represent institutional constituencies. Institutional constituencies vary from state to state. They include public institutions, private institutions, proprietary institutions, and vocational-technical institutions. The Illinois Board consists of 10 members representing the general public and 5 representing public institutions. The most common pattern is members representing only the general public. There are 24 states in which members represent only the general public.

With respect to student representation on boards, there are 6 states in addition to Illinois with such represention. (See Appendix C, Table 2 for characteristics of board membership by state.)

Illinois. The Committee on Governance invited responses to the following question: "Should membership on the Board of Higher Education be changed in any way in order to improve the Board's effectiveness?"

Several respondents said that there is no reason to change. They said that a change in membership would not improve the effectiveness of the Board and that the Board is currently widely representative. One system representative on the Board said that the "direct tie of the five systems to the state coordinating boards is a valuable aid to effective coordination."

Changes to increase the Board's membership were proposed in two different bills introduced during the Spring 1975 legislative session. At the end of the regular legislative session, both bills were being held by the Senate Education Committee after having passed the House.

HB1589 would have added three members to represent boards of trustees of community colleges. Proponents argued that the additional members are needed to give community colleges representation which is proportionate to the number of students which they enroll in the public sector.

HB3069 also would have added three members. Such members would be representatives of private colleges and universities. Proponents argued that these additional members are needed to make the Board properly representative of all sectors of higher education.

Oral and written testimony to the Committee supported the proposals contained in these bills. In addition, the Committee received proposals to increase Board membership by adding a faculty representative and a representative of nonacademic employees.

Reduction in the number of Board members was also proposed to the Committee. One proposal would have reduced the total number to 12 members who would consist of general public and system representives. Another respondent proposed that either community college representation should be increased or system representation should be eliminated. Reduction of Board membership to representatives of the general public received oral support from both community college trustee and private institution spokesmen.

The Committee concluded that system representation on the Board provides a valuable contribution to the Board's deliberations but that such membership also constitutes a special relationship between the Board and the system boards. By statute, the Board of Higher Education has responsibilities for all sectors of higher education. Such responsibilities imply a need for representation of all sectors on the Board itself. Increasing membership to afford others the special relationship held by system representatives is one way to provide for representation of all sectors and interests. In the Committee's view such a change would result in an unwieldy number of members on the Board.

An alternative is to limit the Board's voting membership to those specifically appointed to the Board by the Governor. It achieves an objective similar to the one which is sought in proposals to increase membership. The Governor's appointees to the Board of Higher Education have the obligation to serve all sectors and interests as objectively as possible. The Committee therefore makes the following recommendation to the Board of Higher Education:

4. Only members of the Board of Higher Education appointed specifically to that Board by the Governor should be accorded voting privileges. Representatives of the systems should continue to serve on the Board with full rights of membership except the right to vote. Representation of the public at large should be increased from ten to eleven members.

In the Committee's view, access to the Board's deliberations and decisions is very important. Such access is provided to all others through the Board's numerous advisory committees. These avenues of access should provide full opportunity for all sectors and interests to communicate with the Board.

The Committee recommends increasing representation of the general public from 10 to 11 members in order to prevent tie votes.

The Committee's recommendation extends to the status of the student member of the Board. By statute, the student member serves without the right to vote. Student representatives requested that voting status be given to the student member. It was argued that voting status is needed to make the student member of the Board accountable to his constituency and to increase student participation in the selection of a representative.

In the Committee's view, voting status for the student member of the Board would be inconsistent with the principle that voting by Board members should serve the interests of all as objectively as possible. Like other constituencies, students have access to the Board's deliberations and decisions.

Membership of the Superintendent of Public Instruction on the Board of Higher Education was also examined. This examination was necessitated by statutory creation of a new Board of Education in 1973. In effect, the statute eliminated the elected position of Superintendent of Public Instruction and assigned his duties to the Board of Education.

It is the Attorney General's opinion (File No. S-915 of June 20, 1975) that the General Assembly did not intend that the Superintendent should be replaced on the Board of Higher Education by 17 members of the Board of Education. It is also the Attorney General's opinion that the Board of Education does not have authority to designate one of its members or the Superintendent of Education to serve on the Board of Higher Education.

The liaison between the Office of the Superintendent of Public Instruction and higher education which was formerly provided by the Superintendent's membership on the Board of Higher Education appears to be adequately provided by a new structure. The 1973 statute creating the Board of Education requires three members of that Board and three members of the Board of Higher Education to serve on a Joint Education Committee.

In addition to examining the Superintendent's position on the Board of Higher Education, the Committee on Governance reviewed the Superintendent's ex officio membership on the five system boards. The board chairmen were asked if the Superintendent's membership contributed to coordination between public instruction and higher education. The general response was that this coordination could be accomplished through the Board of Higher Education and the Joint Education Committee.

Because the Joint Education Committee is functioning and because of the Attorney General's opinion, the Committee makes the following recommendation:

5. All statutes pertaining to higher education boards should be modified by removing the Superintendent of Public Instruction or his successor from such boards.

Board Responsibilities

Nation-wide. Central state-level agencies for coordination or governance have responsibilities which are similar in their general form.

In almost all states as in Illinois these responsibilities are assigned to the central board or agency by statute. Like Illinois most such boards or agencies have responsibilities related to planning, budget review, and program approval. (Source: Education Commission of the States, "Survey of the Structure of State Coordination or Governing Boards . . . as of January 1, 1975.")

Illinois. The Committee on Governance invited responses to the following question: "Should the Board of Higher Education's responsibilities with respect to budget recommendations, program approval, or master planning be changed in order to improve the Board's role as a coordinating and planning agency?"

Reduction of Board responsibilities or powers was proposed in the form of SB88 which did not pass in the Senate Education Committee during the Spring 1975 legislative session. The bill would have enabled governing boards to implement new units of instruction, research, or public service without Board of Higher Education approval. It also would have enabled governing boards to make capital improvements on noninstructional facilities at costs less than $150,000 without Board approval.

Some support for reduction of the Board's program approval powers was expressed in written and oral responses to the Committee. It was argued that such approval involves the Board too much in details that are the primary concern of governing boards and institutions. However, the Committee also heard testimony that the Board was not controlling programs enough, particularly with respect to extension or off-campus degree-credit programs.

Other responses to the Committee's question indicated dissatisfaction with budgeting procedures, access to Board staff work, and the lack of a stated rationale for some decisions.

Access to the Board's deliberations and decisions is especially important in the Board's conduct of its responsibilities. Such access implies distribution of information about impending decisions, an opportunity to be heard on impending decisions, and distribution of information about reasons for decisions. According to testimony to the Committee, the Board's effectiveness can be improved in some of these areas. But in the Committee's judgment such improvements do not require changes in the Board's statutorily assigned powers or responsibilities.

The Committee also received responses to its question to the effect that no changes should be made in the Board's responsibilities because they are necessary to the Board's role as a coordinating agency. Furthermore, the Committee heard testimony from a number of system representatives that the Board of Higher Education has improved in the conduct of its responsibilities. On the basis of such considerations, the Committee concludes the following:

6. The Board of Higher Education has improved since the early 1970's in the effectiveness with which it has carried out its statutory responsibilities.

7. The authority and responsibilities of the Board of Higher Education should be preserved.

IV

SYSTEM BOARDS

Written and oral testimony presented to the Committee indicated general satisfaction with the way in which such boards are constituted. Committee review of the testimony concentrated on the need for greater consistency among the systems in the way which their boards are constituted.

Board Representation. All voting members of the five system boards represent the general public. The Committee considers this as appropriate and consistent with its recommendation relative to Board of Higher Education membership. Furthermore, the Committee believes that it is important for all boards to provide access to their deliberations and decisions. For these reasons the Committee concludes the following:

8. The voting members of all system boards should continue to be public members. All boards should continue to provide access to constituency representatives.

Political Affiliations. The statutes creating two of the system boards provide restrictions upon the political affiliations of board members. No more than five of the nine appointed members of the Board of Regents may be affiliated with the same political party. And no more than four of the seven appointed members of the Board of Trustees of Southern Illinois University may be affiliated with the same party. In the Committee's view this restriction is needed to protect boards from domination by one political party and to minimize the influence of politics upon board decisions. For this reason, the Committee believes the restriction should be extended to the other system boards. The Committee therefore makes the following recommendation to the Board of Higher Education:

9. No more than a simple majority on system boards should be from one political party.

Candidates for Board Membership. Testimony to the Committee stressed the importance of the quality of individuals appointed to membership on system boards. A screening process for identifying candidates appears to be an effective means of ensuring that individuals are fully qualified for board membership. The Committee therefore makes the following recommendation to the Board of Higher Education:

10. The Board of Higher Education should urge establishment of a search committee or other organized means for identifying good candidates for appointments to system boards. A list of such candidates should be presented to the Governor from time to time for his consideration.

Selection of Board Members. All system board members are appointed by the Governor except for the Trustees of the University of Illinois. The Trustees are elected in statewide elections. Candidates are screened by the the University's Alumni Association and a slate is recommended to each political party. The political parties may make their own selections for the ballot, but generally the slate is presented to the voters as recommended by the Alumni Association and therefore tends to consist of University alumni.

Advocates for election of the University's Board of Trustees argue that the process has produced members of a high quality and that nothing will be achieved by making a change to appointed members.

The Committee agrees that the quality of trustees has been good. However, it believes that the quality is the result of the screening process employed by the Alumni Association and not the election itself. Few voters are acquainted with the qualifications of these candidates. Furthermore, the candidates who win are usually the ones whose party carries the general election. Therefore, the Committee makes the following recommendation to the Board of Higher Education:

11. The statutes should be changed to provide an appointed board of nine members for the University of Illinois.

Community College Board. In addition to its coordinating responsibilities for local community college districts, the Board is assigned by statute to maintain and operate a community college in the city of East St. Louis. In effect, the Board is both a coordinating board and a governing board. Representatives of the Illinois Community College Board testified that the Board is unable to give full and proper attention to the State Community College of East St. Louis while fulfilling its coordinating responsibilities for 39 community college districts. A separate governing board for the college appointed by the Governor was proposed as a solution to the problem.

In the Committee's view removal of the governance of State Community College from the Illinois Community College Board is appropriate and consistent with the division of responsibilities discussed earlier in this report.

Financial support for State Community College is currently provided entirely by the State. In the Committee's judgment this approach to funding is inconsistent with the principle of locally initiated and administered community colleges and with the principle that such institutions should be supported in part with local tax revenues. The Committee therefore believes that State Community College should strive to achieve district status comparable to all other community colleges in the State. Or if the College is to remain fully funded by the State, its programs should be offered by a State-funded university.

On the basis of these consideration, the Committee makes the following recommendation to the Board of Higher Education:

12. The governance of the State Community College of East St. Louis should be removed from the Illinois Community College Board. A separate board should be appointed by the Governor to serve for a period not to exceed five years during which time the East St. Louis area must become a regular community college district or become part of an existing district. If such a status cannot be established, the institution should be assigned by the Board of Higher Education to some university for administration and governance.

Statutes. Over the years, revisions or additions have been made to the statutes affecting coordinating and governing boards. The result is that there is confusion in the organization of each board's statutes and inconsistencies among them. The Committee therefore makes the following recommendation to the Board of Higher Education:

13. The Board of Higher Education should undertake a study of the statutes affecting higher education with a view toward their codification and clarification.

Bibliography

Committee N. Governing Structure. A Report to the Illinois Board of Higher Education for Master Plan Phase III, 1971.

Education Commission of the States. "Survey of the Structure of State Coordinating or Governing Boards and Public Institutional and Multicampus Governing Boards of Postsecondary Education as of January 1, 1975," Higher Education in the States, 1975.

Gove, S. K. and Floyd, C. E., "The Politics of Public Higher Education: Illinois," AAUP Bulletin, September, 1973.

Keenan, B. R. Governance of Illinois Higher Education 1945-74. Urbana: Institute of Government and Public Affairs, University of Illinois, 1975.

Appendix A

RESPONSES TO COMMITTEE QUESTIONNAIRE

The following pages include the Committee's questionnaire and responses.

Selected quotations from the responses are listed after the appropriate question. Responses to each question are organized in sections according to the topics listed below. Further classification of responses occurs within the sections:

1. Committee "N" Report
2. BHE Membership
3. BHE Responsibilities
4. BHE Relationships
5. System Boards
6. Other Comments

Section 6 also includes three lengthy responses which are reproduced in their entirety in order to preserve the line of reasoning.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

MEMORANDUM

May 9, 1975

To: Chairmen of Governing and Coordinating Boards
System Executive Officers
Presidents of Colleges and Universities
Chairmen of Board of Higher Education Advisory Committees
Citizens' Groups

From: Edward Armstrong, Chairman
Committee on Governance

The Committee on Governance would appreciate having your counsel on coordination and governance in Illinois higher education. The enclosed questionnaire indicates topics which the Committee is especially interested in. However, please feel free to comment upon relevant topics of your choice.

The Committee would like organized campus groups for faculty, students, and employees to have an opportunity to respond to its questionnaire. Presidents of colleges and universities are hereby requested to distribute the questionnaire to appropriate group officers on each campus.

All respondents should reply directly to the Committee on Governance.

State of Illinois
Board of Higher Education

Questionnaire on Governance
Master Plan Phase IV

Your responses to any of the questions listed below or your comments on other relevant topics of your own choosing will be helpful to the Committee on Governance.

1. Master Planning - Phase III resulted in a 1971 report by Committee N on Governing Structure. Are there any aspects of the report which should be reviewed by the present Committee on Governance?

2. Should membership on the Board of Higher Education be changed in any way in order to improve the Board's effectiveness?

3. Should the Board of Higher Education's responsibilities with respect to budget recommendations, program approval, or master planning be changed in order to improve the Board's role as a coordinating and planning agency?

4. Should the Board of Higher Education's relationship with governing and coordinating boards, advisory committees, state government agencies, or other agencies be changed in order to improve the Board's role as a coordinating and planning agency?

5. Should the boards for any of the five public systems of higher education be changed in any way in order to improve the effectiveness of governance and coordination?

If you would like to speak to the Committee on Governance in person, please so indicate in your response. Responses should be returned by June 16, 1975 if possible.

Please mail your response directly to the Committee Chairman at the following address:

Mr. Edward Armstrong, Chairman
Committee on Governance
Illinois Board of Higher Education
119 South Fifth Street
Springfield, Illinois 62701

1. COMMITTEE "N" REPORT

Question 1:

Master Planning Phase III resulted in a 1971 report by Committee N on Governing Structure. Are there any aspects of the report which should be reviewed by the present Committee on Governance?

"We urge that the Committee on Governance proceed with great care in reconsidering for possible adoption the recommendations of Committee "N", taking special pains to analyze the background and hear argument concerning possible implications."

BHE Faculty Advisory Committee

"Reservations expressed in the 1972 critique of the Committee N Report appear, in retrospect, to have been validated through subsequent events. Major concerns include:

1. The single direction of accountability; we recommend that the relationship be reciprocal.

2. Discontinuities resulting from changes in directives from a centralized agency, with its high rates of personnel turnover.

3. Unequal distribution of educational opportunities within geographic subdivisions of the state, reflected in continued discrimination against the socio-economically disadvantaged citizens.

4. The centralization of power that removes the major responsibility for academic programming from the institution and its governing board."

V. Lindsay, Chairman of Ad Hoc Committee at Southern Illinois University-Edwardsville

"The updating of current enrollment data plus realistic projections is one obvious area. The alleged advantages of type grouping can, I believe, be questioned. Each institution has its own character and diversity can and should be encouraged. I do not believe this depends on governing board groupings."

J. M. Sachs, Acting Executive Officer of Board of Governors

"Yes. The System of Systems concept should be reviewed and either strongly adhered to or modified to meet current needs."

I. Elliott, Jr., Chairman of Board of Trustees of Southern Illinois University

Note: A 10-page critique of the Committee "N" Report has been provided by Southern Illinois University-Edwardsville. It was prepared by the Planning Council at the University and is dated May 18, 1972. The report is included in Section 6.

2. BHE MEMBERSHIP

Question 2:

Should membership on the Board of Higher Education be changed in any way in order to improve the Board's effectiveness?

No Change

"I do not see how changes in membership on the Board would improve its effectiveness. The effectiveness of any such Board depends on the individuals selected and the staff."

G. Fite, President of Eastern Illinois University

"At one time I thought it was a mistake to have the chairmen of the five systems serve as voting members of the IBHE. I feared it would result in a series of 'special interest' votes with the chairmen perhaps banding together to form a voting bloc. This just hasn't been the case however . . . based on personal experience, I believe that this direct tie of the five systems to the state coordinating board is a valuable aid to effective coordination. Sitting and participating directly provides a good insight to overall problems which I feel is extremely helpful."

R. Brune, Chairman of Illinois Community College Board

"The composition of the Board of Higher Education is now representative of a wide spectrum of constituencies and needs little or no change at this time. Private institutions are more than adequately represented by the Governor's appointees . . . other constituencies are adequately represented through the various advisory councils or committees."

F. Matsler, Executive Director of Board of Regents

"My reaction is not based on familiarity with the operations of the Board but on observations over the past ten months; I do not see any particular reason to change membership on the Board of Higher Education at this time."

L. Malpass, President of Western Illinois University

"No. The present membership works as well as can be expected. To increase the representation of one of the vested interests would not improve effectiveness. The private institutions are well represented by the public members, most of whom are private school graduates and very sympathetic to this sector. To add representatives of any of the state systems would disturb the present balance and start a series of campaigns for more representation or proportionate representation."

J. M. Sachs, Acting Executive Officer of Board of Governors

"I see no specific need in changing representation. However, in reviewing this and the other relationships of the next questions, I would like to suggest an approach rather than a specific recommendation for change. Maybe change is needed or is not needed.

Your committee ought to review any major failures or deficiencies of the past few years. The purpose should be to ascertain if a change in structure would have reduced the chance of making the mistake. Blame fixing is not important. Even evaluation is not important. Structure to prevent mistakes should be the goal.

For example, a serious error seems to have been made in allowing excessive growth in higher education. Enrollment projections by faculty and possibly other faculty planning have resulted in not only excessive senior college facilities and programs, but also in a massive community college program which is in danger of being excessively overbuilt (if it is not already). State educational needs must be met within availability of state funds. Were these errors solely because of enrollment projection errors? How was this error made? Were other mistakes involved? What was the portion of the responsibility of the BHE Board, staff, Universities, Legislature, or others? Could it possibly have been minimized by structural change?"

I. Elliott, Jr., Chairman of Board of
Trustees of Southern Illinois
University

Change in Number and Geographic Representation

"Either of the following two alternatives should (1) reduce the somewhat unwieldly size of the current board and (2) result in a more representative, better balanced board membership.

Alternative One

1. The BHE shall consist of twelve (12) board members as follows:

   Five members appointed by the Governor with the consent of the Senate, the respective chairman of the Board of Trustees of University of Illinois, the Board of Trustees of Southern Illinois, the Board of Governors of State Colleges and Universities, the Board of Regents of Regency Universities, the Illinois Junior College Board, the Superintendent of Public Instruction, and a non-voting student member.

2. All five judicial regions shall be represented by the five Governor appointees.

Alternative Two

1. The BHE membership will consist of twelve (12) members as follows:

   Two representatives and three senators from the General Assembly, the respective chairman of the Board of Trustees of the

University of Illinois, the Board of Trustees of Southern Illinois, the Board of Governors of State Colleges and Universities, the Board of Regents of Regency Universities, the Illinois Junior College Board, the Superintendent of Public Instruction, and a non-voting student member.

2. The Senators and Representatives shall be appointed by the Speaker of the House and President of the Senate utilizing the criteria of interest or experience in or knowledge of the problems in higher education.

3. The term of the legislators shall not be less than two years nor more than six years.

4. All five judicial regions shall be represented by the Senators and Representatives."

Ad Hoc Committee at Southern Illinois University-Edwardsville

"Membership on the Board of Higher Education should be changed to allow for broad representation on a geographic basis with members being selected from areas where the educational institutions are located."

Council of Administrators of Western Illinois University

Community College Representation

"The Illinois Community College Board has also endorsed legislation proposed by the Illinois Community College Trustees Association to add three additional members to the Illinois Board of Higher Education, with these three additional members being locally elected or appointed community college trustees."

F. Wellman, Exeuctive Secretary of Illinois Community College Board

"The membership representative of the community college in Illinois is woefully inadequate. These institutions enroll approximately one-half of the students and the Board membership should reflect that fact."

H. McAninch, President of Joliet Junior College

"Membership on the Board of Higher Education should be changed in one of two ways:

a. Eliminate all members who are ex officio and represent the five systems, or

b. Increase representation of the community college system in light of the fact that the number of students enrolled in the

38 community college districts in Illinois exceeds the number in the public universities."

O. Shabat, Chancellor of the City Colleges of Chicago

"Although an additional representative of the community colleges may be appropriate, there should be no more than one additional person named, and that person should be from one of the lay boards of trustees not from the Presidents' organization."

F. Matsler, Executive Director of Board of Regents

Private College Representation

"Your Committee has tentatively adopted a position in support of the present provisions concerning the 'public' members of the Board--that they should represent the people at large and not particular constituencies. I support that view most vigorously.

Appeals from private higher education or from community colleges for more 'representation' on the Board ignore two facts: first, the institutional (system) representatives on the Board are now a permanent minority whose membership is designed primarily to assure necessary access and contributions to the discussions of the Board; and second, at present and in the past the vast majority of the public members of the Board have been educated in private institutions and so have provided an adequate background for consideration of the interests of private colleges and universities in the planning and coordination of public higher education."

P. Yankwich, University of Illinois-Urbana, Representative to BHE Faculty Advisory Committee

"I firmly believe the independent sector should be represented on the BHE just as the five public systems are represented. Independents educate approximately 30 percent of Illinois youth attending college in the state, and we have little or no input but are placed in a 'react' position constantly."

J. R. Miller, President of Millikin University

"If, as Master Plan III states, Illinois' higher education resources are to be integrated and private as well as public resources utilized, it seems to follow that the private as well as public institutions should be represented on the Board of Higher Education which has the responsibility for this 'single enterprise'."

M. Burke, President of Barat College

"We would urge serious thought to some such reorganization as Representative Adeline Geo-Karis suggests by adding members from independent institutions."

I. Langston, President of Eureka College

"I've checked a list of the independent colleges in Illinois, not counting theological seminaries and professional schools, and come up with the following figures. I find 40 that list their student body at less than 2000. There are 29 with a registration of less than 1000 and 11 or more larger but with a registration of less than 2000. What is the representation of these colleges on the Board of Higher Education?"

L. Marquart, Coordinator of Federal and State Grants, Olivet Nazarene College

"What representation on the Illinois Board of Higher Education is currently given to the private postsecondary educational sector of the Illinois Office of Education?"

J. Goudy, Director of Postsecondary Education Section, Illinois Office of Education

Superintendent of Education

"There is need for clarification of the statutes with respect to the chief educational officer of the state and his role with the various governing boards. It is undesirable that an appointed officer of the new Board of Education be ex officio a member of any of the governing boards. Some boards have accepted a designee of the Board of Education itself as a governing board member, others have not. A recommendation for a satisfactory uniform policy on this issue would be helpful."

F. Matsler, Executive Director of Board of Regents

Faculty Representation

"There should be at least one faculty member added to the BHE."

Western Illinois University Faculty Senate

"We support the apparent preliminary view of your committee that the public members of the BHE be appointed without regard to their representation of specific constituencies; if this is the case and is to continue to be the case, we suggest that the existence of a Citizens' Advisory Committee be called into question because of redundance. We

oppose the appointment of a faculty member to the Board, as long as the Faculty Advisory Committee has the access-to-debate it now does; in this regard we question whether students should have both a member of the Board and an advisory committee, another redundant situation."

BHE Faculty Advisory Committee

"For those of us in constituencies the critical matter is access to the Board, not representation on it."

P. Yankwich, University of Illinois-Urbana, Representative to BHE Faculty Advisory Committee

Student Representation

"After several discussions with George Perkins, he and I have agreed that it is appropriate for the Governance Study Committee to have as one of its charges the study of the question of changing Board policy concerning the voting status of the non-voting student member of the Board. As we have mentioned to you before, we feel the policy should be changed to allow an 'advisory vote' to be cast by the student member."

M. Booker, Chairperson of BHE Student Advisory Committee

Quality of Board Members

"I believe that the Board has been made up of individuals of high quality and that the staff has been dedicated and effective."

G. Fite, President of Eastern Illinois University

"As to membership on the Board of Higher Education, it has been my experience that individuals successful in business such as cement contractors, builders, bankers, etc., often gravitate toward education board memberships as they do toward membership in the Kiwanis or PTA. These individuals are as good as any from throughout society in that they tend to be more conservative in the outlaying of funds than groups who look upon government as a cornucopia."

R. Bartlow, Administrative Assistant to the President of Illinois College of Optometry

Designation of Board Members

"The higher board might be elected state-wide. Let others argue about that. I don't much care."

T. Pugh, Associate Editor of the Peoria Journal Star

Nonacademic Employees Representation

"Since the nonacademic employees are greatly affected by budget decisions (as are faculty, administrators, and students) we would like to gain nonacademic representation on the BHE."

A. Reynolds, President of Civil Service Employees Council at Western Illinois University

3. BHE RESPONSIBILITIES

Question 3:

Should the Board of Higher Education's responsibilities with respect to budget recommendations, program approval, or master planning be changed in order to improve the Board's role as a coordinating and planning agency?

No Change

"Board of Higher Education responsibilities should remain intact. These responsibilities enable the Board to carry out its role as a coordinating and planning agency."

O. Shabat, Chancellor of the
City Colleges of Chicago

"I feel strongly that the Board of Higher Education should have primary concern for master planning for higher education in this State. I also agree that degree program approval and budget recommendations are necessary functions of the BHE."

L. Malpass, President of Western
Illinois University

"No. The difficulties in budget and program areas do not come from statements, statutory or otherwise, about Board of Higher Education responsibilities. Under current staff leadership I have high hopes for a rational budget model applicable to all systems and a set of recognized criteria for program approval. (The two should not be confused. Most if not all of the universities are prepared to re-allocate present resources in order to mount new programs. A university which cannot respond to changing needs is moribund.)"

J. M. Sachs, Acting Executive Officer
of Board of Governors

"No. The coordinative role is in keeping with the System of Systems concept."

I. Elliott, Jr., Chairman of Board of
Trustees of Southern Illinois
University

Powers and Responsibilities

"More power must be concentrated in the higher board."

T. Pugh, Associate Editor of the
Peoria Journal Star

"The BHE should reject the view that it is the 'super board' of Illinois Higher Education. The BHE and its staff should emphasize their

coordinating, planning and research roles. Furthermore, the BHE needs to re-examine the concept of the 'system of systems' in Illinois higher education. In this connection, the BHE needs to re-evaluate the validity of the current mission and scope statements of Illinois public institutions of higher education. In respect to program review the major role of the BHE and its staff should be to prevent unnecessary and wasteful duplication of effort."

Western Illinois University Faculty Senate

Budget Recommendations

"Overall, I have been pleased with the governance of BHE. The one major problem has been the inability of the independent sector to provide input prior to budget building and Board recommendations."

J. R. Miller, President of Millikin University

"The BHE should have responsibility in advising the Governor on ISSC staff budgets and, possibly, those of the Merit Board and the Retirement System. There is also a need for more accountability from the private institutions as they seek additional state support."

F. Matsler, Executive Director of the Board of Regents

"I think we should develop a formula for making budgets and then stick to that formula for a period of time. It is very difficult for the institutions to operate under circumstances where the rules and conditions are frequently changing."

G. Fite, President of Eastern Illinois University

"Develop an equitable and understandable budgeting system that recognizes the specific needs of each institution, and provide, insofar as is possible, the funding necessary to permit the attainment of the individual missions."

L. Ringenberg, Dean of Arts and Sciences, Eastern Illinois University

"We would advise that you make strong and explicit recommendations for budgets and programs. Make realistic and not inflated budget recommendations."

R. Bartlow, Administrative Assistant to the President of Illinois College of Optometry

"1. The BHE might give target budgets for institutions wherein institutions would prepare request to that amount and then ask for additions thereto.

2. In both preliminary and final recommendations, the BHE indicate their reasons for reducing or for refusing budget requests.

3. The BHE should provide their preliminary recommendations for each institution to all of the institutions.

4. The BHE should provide bases of all budget recommendation calculations.

5. All calls from the BHE for supplemental information should openly state reason and use of the requested data."

Ad Hoc Committee at Southern Illinois University-Edwardsville

"If the BHE is going to continue to play such an important role in determining budget matters for the individual universities (i.e., budget formats), we suggest that more individual consideration should be given to the individual school's problems--more time needs to be given to studying the school's budget concerns and needs."

A. Reynolds, President of Civil Service Employees Council at Western Illinois University

Program Approval

"In my opinion the Board is involved too much in the nitty-gritty of the program approval process. I would think that this could be delegated to staff and not require so much red tape."

H. McAninch, President of Joliet Junior College

"The State Board of Higher Education should take a very close look at the junior college programs throughout the state."

W. Brinkman, President of AFT Local 604 at Joliet Junior College

"Program approval takes too long and involves unnecessary delay. Furthermore, some actions of the Board seem to me to go beyond coordination and enter into the internal operations of the university. Here again, I would mention some aspects of program approval. The approval of new programs is certainly a part of the role of coordination. On the other hand, the need of Board or Board staff approval to simply change

the name of a program seems to me to be entering into the internal administration of a university and has little or nothing to do with the fundamental questions of planning and coordination."

G. Fite, President of Eastern Illinois University

"Provide stronger coordination for continuing education and off-campus programs. Grant more autonomy to the governing boards particularly insofar as program approval is concerned. Develop a system to permit a university a more rapid implementation of new bachelor's degree programs within its mission. Current system stifles innovation.

L. Ringenberg, Dean of Arts and Sciences, Eastern Illinois University

"The following comments relate to observed weaknesses in the current governance structure for higher education in the State of Illinois.

1. The state's rhetorical commitment to equality of educational opportunity cannot be carried out if regional needs are ignored.

2. Committee N's projection that developing institutions would attempt to emulate leading universities does not appear to have occurred. Proposals submitted by SIU-E that have been accepted and those that have been rejected were unique and reflected both institutional resources and regional needs.

3. Consistency is needed in (1) long-and short-range planning, (2) guidelines and procedures for program approval, and (3) bases for budget allocations.

   Currently, programming guidelines and procedures are practically nonexistent. Requests from the BHE to institutions change in tandem with changes in executive directors and board staff membership. Lack of consistency is further illustrated in the application of rules. For example, cooperation in the interest of better education and lower costs holds for institutions in the Chicago area but is rejected for the St. Louis area. Institutional cooperation across state lines and between public and private institutions appears permissible in the north but not in the southwest sections of the state.

4. Decisions about academic merit and adequacy of institutional resources should rest with the institution, their outside consultants who are authorities with area, and the Commission of Scholars. The Commission should not function as a second Board staff and should deal only with the academic quality of proposed programs.

5. The staff of institutional governing boards should work closely with the program planners and developers of the institutions

they govern. This more intimate knowledge of institutional and programming strengths is the basis for shared accountability. Through such actions, boards remain capable and willing to support their decisions, thus avoiding the tendency toward too much centralization of power.

In far too many cases, the BHE has usurped the functioning of the governing board, reversing decisions of that board and relying on its own (the BHE) staff. In making recommendations to the BHE, the Board staff has evidenced errors in fact and has presented rationales containing contradictory elements. High turnover in the staff may have been responsible for their lack of thoroughness and accuracy. Lack of familiarity with the respective campus and its environment also may have contributed.

Opposing viewpoints arising at any level should be subject to open discussion of the relevant points and should be resolved within an atmosphere of mutual trust and accountability.

6. Whenever decisionsby institutions and their governing boards are reversed by the BHE, the reasons for the reversal should be made explicit. Too often, decisions appear arbitrary. If a rationale exists, that rationale should be subjected to the same scrutiny as that of supporting institutional rationales.

   Currently, accountability seems to flow in one direction only, from institutions to the various boards.

7. Recommendation 21 (centralization of health services) of the Committee N Report would further disregard the regional concept and perpetuate the existing imbalance in educational emphases between the Chicago and the St. Louis metropolitan areas. For efficient and effective program development according to (1) students' need for educational opportunities, (2) area needs for health services, and (3) the availability of cooperating hospital, clinic, and related facilities, the locus of decision-making and control should be at the local campus. In addition, optimum conditions for sharing of institutional faculty and other resources already exist between the Dental School and the SIU-E campus. Distance prohibits effective liaison with Springfield, Chicago, Urbana, or Carbondale."

Ad Hoc Committee at Southern Illinois University-Edwardsville

---

Board Staff

"We urge that the Board staff be drawn more heavily from the ranks of experienced academics and academic administrators."

BHE Faculty Advisory Committee

Master Planning

"In order to improve the Board's role as a coordinating and planning agency, it was felt that input should be obtained from the universities prior to the implementation of a master plan. The universities should have the opportunity to provide input at the initial planning sessions rather than be restricted to reacting to a change in the master plan after the initial proposals are adopted."

Council of Administrators of Western Illinois University

4. BHE RELATIONSHIPS

Question 4:

Should the Board of Higher Education's relationship with governing and coordinating boards, advisory committees, state government agencies, or other agencies be changed in order to improve the Board's role as a coordinating and planning agency?

No Change

"I do not see any overriding need for the Board to change its relationship."

O. Shabat, Chancellor of the City Colleges of Chicago

"The BHE's relationship with governing boards has improved and hopefully will continue to improve."

F. Matsler, Executive Director of the Board of Regents

The Senate of the University of Illinois at Chicago Circle affirms: "Its gratification concerning the evolution of the Board of Higher Education into an effective coordinating and planning agency rather than one which directly intervenes in the academic programs of the several University Systems."

"So far as I can determine, the relationships between the BHE and the governing and coordinating Boards, advisory committees, State government agencies and other agencies are sufficiently well developed and coordinated so that they do not need to be changed at this time. This would depend, however, on whether the "System of Systems" approach to higher education is continued in this State."

L. Malpass, President of Western Illinois University

Relationship to Other Agencies

"We recommend that the Board either initiate or continue to focus upon close relationships with state government agencies since: one, they are the means for implementing some of your plans and, two, they have of themselves plans and needs which can be met by Illinois institutions of higher learning."

R. Bartlow, Administrative Assistant to the President of the Illinois College of Optometry

"I believe the Board of Higher Education, the Illinois Office of Education, the Department of Registration and Education, etc., should attempt to set up regular meetings to discuss problems of program duplication, supervision, approval and proliferation."

J. Goudy, Director of Postsecondary Education Section, Illinois Office of Education

"Another matter that seems worthy of consideration is that of cooperation between the public and private colleges. This relates to some of the community service programs. I have found that representatives of the large public institutions often think that the small college is incompetent to function. Consequently, they have invaded territories in an extremely competitive way and have tried to threaten what might be called squatters rights. I do not speak hypothetically. Such practices are evident in extension offerings as well as community service projects. This seems to be contrary to the philosophy of cooperation that the Board is trying to emphasize."

L. Marquart, Coordinator of Federal and State Grants, Olivet Nazarene College

"We recommend that current efforts by the Board and its staff to develop closer working relationships with the General Assembly and with legislative staffs be expanded; and, further we recommend that the Board staff be increased to size to permit this expanded role."

BHE Faculty Advisory Committee

"Since the beginning of this year, I have served on one of the Advisory Committees to the Board of Higher Education. I have been impressed with the opportunities we have for input into the deliberations of the Committee. I have also had the opportunity to sit in on public hearings regarding matters to come before the Committee. I have been impressed, through my involvement, with the pains the Committee appears to take to hear all sides interested in a matter which is the concern of the Board."

P. Veltman, Dean of Wheaton College

"The BHE needs to be more active in Legislative leadership and needs to engage in a public relations program to improve its legislative image. The Systems and Universities (including our's) should be a part of this program. Too often they have been complainers to the detriment of the system they need. There will always be tension between the universities and the BHE. This is healthy and necessary if each is doing its job. However, this tension should exist in an atmosphere of mutual support and respect."

I. Elliott, Jr., Chairman of Board of Trustees of Southern Illinois University

Relationship to System Boards

"The Board of Higher Education in the past has been overstepping its authority and should restrict its actions to policy making decisions and not get involved in the day to day operation of the governance of the various institutions within the state. The Board of Higher Education should restrict its actions to the coordinating function."

Council of Administrators of Western
Illinois University

5. SYSTEM BOARDS

Question 5:

Should the boards for any of the five public systems of higher education be changed in any way in order to improve the effectiveness of governance and coordination?

No Change

"Change for the sake of change is a very poor policy. I can see no benefit to the State of Illinois to juggle the institutions into new organizational structures. The present system, while cumbersome to the uninitiated, provides for a wide dispersal of power and influence. A change to a more centralized organization will remove the people of Illinois more and more from having influence on education. By giving each institution its own governing board, the focus of power and influence would then lie with the Board of Higher Education and its staff (which would have to be expanded).

"A change from the present, delicate balance of power that exists on campus would probably be more expensive in the long run and would be detrimental to most of the institutions."

F. Matsler, Executive Director of
Board of Regents

"The boards are a fairly reasonable effort to get a compromise between a single board with decisions made too far from the people affected and single institution boards which, I believe, would lead to an unacceptable proliferation of legislative lobbying. Change for the sake of change is mindless. Unless a clearer typology emerges or there is a shift in some of the political forces, the present four senior systems with a relatively narrow range in the number of students per system probably serves the State as well as any other."

J. M. Sachs, Acting Executive Officer
of Board of Governors

"The attack made in the Legislature through SB 16 (a Bill to provide a separate Board for SIU at Edwardsville), and presently awaiting the Governor's action is an attack on the system of governance--not just an attempt to give an emerging university recognition with a separate board. If it is enacted and signed into law, this will be followed by similar efforts by other Universities. Governance of Higher Education ought to be planned and not haphazardly developed because of the legislative maneuvering accompanying this bill.

"Action by your Committee and the Board of Higher Education expressing their active leadership is mandatory if planned order of governance of Higher Education is to be maintained in Illinois.

"I do not belive that a separate board for each University in Illinois is a good plan; neither do I believe that one Board for the entire state is a good plan.

"A change to separate boards would result in a dozen or more boards of trustees. Supervision of these by the BHE would be difficult and would require a greater staff at BHE level.

"Separate boards would not need a staff as large as a system staff, but would require staff support. The result would be either the same or greater expense for board support plus additional BHE expense. The cost is not the key--the ability to govern effectively is the true goal. A multiplicity of boards would destroy the balance provided by the System of Systems. The large and urban universities would surely overshadow the small and rural ones to the detriment of the state as a whole. Each governing board would become a pressure group to lobby everywhere for its University. It is difficult at best for a board to remember that it represents the state as a whole rather than just one university constituency. If a board governs more than one campus, this attitude is more easily maintained. In times of stress, this is particularly important.

"One governing board for the entire state would result in inadequate supervision of the various universities. It is difficult for any board to do this and impossible for a statewide board. No board should be an administrator, but it should set policies and maintain an overview of its universities. A state-wide board would be so overwhelmed with duties that it would be reduced to excessive reliance on its staff. Mandatory duties of fixing budgets, legal requirement and employment of President would leave it little time for the interplay with Presidents about each University's future in meeting its portion of the state's need. A statewide board cannot give the detailed attention to University Budgets that a system board can. Also, a System Board is more familiar with the needs and priorities which need to be translated into budgetary figures.

"A balance is needed between local control and state centralization. The present system of systems is one illustration of that balance and seems to be reasonably effective. That is not to say that some other design might not also be effective. It is to say that no change should be made solely for the sake of change.

"Governance in California, Florida, Michigan, Wisconsin, Missouri, New York and elsewhere provides illustrations of other types of governance. My prejudiced and cursory view is that Illinois has a better plan. I would suggest that you give greater study to these states' plans to confirm or refute this.

"The last committee on governance suggests a realignment of universities using the present boards as a framework. It is this question which has caused in great part the delay in answering this questionnaire. My feelings are still mixed. Functional realignment has some very attractive features and would probably enable Boards to acquire more expertise. However, the change in alignment would be disruptive and would entail some expense in its accomplishment. These opposing factors will need to

be weighed very carefully by your committee. You are not planning governance from the beginning, but are planning potential changes.

"Is the possibility of such a change a political reality? This should be explored by your committee with the Governor and legislative leaders. If it is not, then such a recommendation would only add to the unrest in the University Communities. Your committee ought to give leadership in this area, but should not attempt to lead into areas which are not realistic from a practical standpoint.

"If I had the option of planning state-wide governance with no previous background, functional alignment seems attractive. My feelings are mixed as to whether it is a realistic potential at this time."

I. Elliott, Jr., Chairman of Board of Trustees of Southern Illinois University

Realignment of Institutions

"We probably need only three subsidiary boards. One for community colleges, one for the universities, and one for good measure. We could eliminate the third one, if the higher board commissioned a study and found it served no useful purpose.

"Of course, the individual university campuses need to have their own boards, and they probably ought to be elected locally so they can meet often and their governors get to enough meetings to know what is going on."

T. Pugh, Associate Editor of the Peoria Journal Star

"I believe that the Chicago Metropolitan Area, particularly the University of Illinois Chicago Circle and Medical School, Northeastern Illinois and Chicago State Universities, City Colleges of Chicago and possibly community colleges in adjacent suburban areas should be under a separate system which in turn would be under the Board of Higher Education. Recognition of the more than 100,000 students enrolled in public higher education institutions in the Chicago Metropolitan Area is long overdue, and a governmental unit in the form of a separate system would improve the effectiveness of governance and coordination."

O. Shabat, Chancellor of the City Colleges of Chicago

Some institutions should be realigned in order to reflect a regional mission of the systems. Under such a proposal the Board of Governors would include Chicago State, Governors State, Northeastern, and Northern. The Board of Regents would consist of Eastern, Illinois State, Sangamon State, and Western. The other systems would remain as they are now.

M. Booker, Chairperson of BHE Student Advisory Committee

The Senate of the University of Illinois at Chicago Circle affirms: "Its endorsement of the position taken by the Senate of the Chicago Circle Campus, October 27, 1970, unanimously approving our continuation as a campus within the University of Illinois system."

"As you know, a number of people have suggested that it might be useful to consider placing schools that are more alike in tradition and program under a particular board. For instance, Eastern and Western have more in common with Illinois State than with Governors State. I am not recommending any particular realignment of institutions under a board, but I believe this is worthy of careful consideration by your committee."

G. Fite, President of Eastern Illinois University

"Serious consideration should be given to the realignment of the Illinois State Universities. Action along these lines will be crucial in the event the current legislative effort (SB-0016) to create a separate board for SIU-Edwardsville is successful. While we are not in favor of separate boards for each public institution of higher education in Illinois, we believe that a realignment along regional lines should be explored for the institutions currently under the jurisdiction of the Board of Governors and Regents. Given the nature, programs, student populations, sentiment regarding unionism and collective bargaining of the institutions within these systems, a realignment consisting of Chicago State, Governors State, Northeastern Illinois and Northern Illinois Universities on the one hand and Eastern Illinois, Illinois State, Sangamon State, and Western Illinois Universities on the other hand should be considered."

Western Illinois University Faculty Senate

"I urge that your Committee be very reserved in its expressions in this area. The history of Illinois higher education is complex and the nature of the several governing boards need not be unreflective of that complexity or of desirable diversity among systems and institutions. It might be more important to provide for the imitation of success than to force uniformity. The expression of some of the members of your Committee of interest in seeing higher education organized along functional lines is an interesting one. If you go seriously into this area, I urge that you <u>demand</u> the input of faculties as well as administrations; the politicians have already been heard too much."

P. Yankwich, University of Illinois-Urbana Representative to BHE Faculty Advisory Committee

"The five (5) public systems of Higher Education should be changed to adopt a regional concept and there should be realignment within the present system by geographical regions, similarities in size and scope

of institutions, similar programs, and location. It was suggested that a Northern area, a Southern area, a Central area, and a U. of I. system be adopted."

Council of Administrators of Western Illinois University

"Some people have suggested that, since additions to the current number of public four-year institutions are unlikely, the governance structure could well be reviewed to determine whether the present grouping of institutions under the four Boards is the optimum grouping. Some other people have suggested that the total number of public universities is small enough so that institutional Advisory Councils or Boards could report directly to the Board of Higher Education. While I do not hereby propose either of these alternatives, I convey them to you as suggestions that have been made by others at this University and elsewhere."

L. Malpass, President of Western Illinois University

"We question the necessity of the intervening governing boards (Boards of Governors, Board of Regents, etc.). It is our understanding that over three million dollars annually is spent just for the maintenance (salaries, etc.) of the governing boards of this state. This system also seems to require a gross duplication of effort on the part of the universities involved. Would it not be more economical (both in terms of dollars and effort) to eliminate the middle-man (i.e., the governing boards)?"

A. Reynolds, President of Civil Service Employees Council at Western Illinois University

Individual Boards

"The 'System of Systems' model has functioned fairly effectively and when one looks at alternatives to this approach in a large and populous state such as Illinois, one should be careful about developing radical alternatives to what is clearly a "going operation." In this spirit, however, I will attempt to suggest some alternatives to certain aspects of governance in Higher Education in Illinois.

"My experience before accepting the presidency at Northeastern Illinois University was five years as a college president in the state system of New Jersey. This system consisted of eight state colleges. Each of the state colleges had its own board of nine lay trustees who functioned as the governing board for their respective institutions.

"There are important advantages in such an arrangement. Nine trustees meeting monthly with the president and his administrative staff develop a close relationship and an understanding of the problems and needs of the institution which they govern in a way which no nine member board governing five institutions can possibly achieve. In the New Jersey system coordination took place through a Board of Higher Education with similar duties and responsibilities to that of the Illinois Board of

Higher Education. The New Jersey system also included Rutgers, the State University with its major campus at New Brunswick and two regional campuses, one in Newark, New Jersey and the other in Camden as well as the New Jersey College of Medicine and Dentistry and the Newark College of Engineering. Thus the New Jersey system had a total of thirteen colleges and universities reporting through their respective boards to the New Jersey Board of Higher Education.

"One possibility for modifying the governance structure in Illinois would be to create individual boards for each of the universities in the Illinois system that do not already have their own boards of trustees. This could be achieved by increasing the number of trustees for each system so that in the case of the Board of Governors we might have five to seven board members responsible for each of the five Board of Governors institutions, with a chairman of the local board of each of the universities sitting on the Board of Governors.

"I am not sure however that the benefits derived by having individual boards for each university would not be offset by the increased complexity created by such changes."

J. Mullen, President of Northeastern Illinois University

Board Membership

"We recommend that interest in modifying the structure or membership of governing boards be channeled instead into efforts aimed at improving the quality of persons appointed or nominated for election to such boards, that they may be more independent and less insular in thought and action."

BHE Faculty Advisory Committee

Board of Governors

"If the implication of this question is to seek responses about the constituency or activities of the Board of Governors (which is directly responsible for this University), then we would say that the members of that Board have demonstrated great interest in the Universities under their charge. They do so at great sacrifice of time and effort; they meet every month, following review of extensive agendas, to discuss openly and act on matters brought to them by the five university Presidents as well as by the Board staff. I am deeply impressed by the dedication of the Board members and am led to believe that their efforts work well for effective governance of higher education in Illinois."

L. Malpass, President of Western Illinois University

University of Illinois Board of Trustees

"We would be honored to have a nonacademic representative appointed to the Board of Trustees to serve on the same level as Faculty, Student and Advisory Groups to represent Nonacademic in matters pertinent to our activities. We would also like to be represented to the Board of Higher Education to provide advisory input to improve relationship between Nonacademic employees and the Board.

"The election of the Board of Trustees members SHOULD be by the PEOPLE. We feel that the Governor should be allowed to appoint the members to the Board of Higher Education."

J. Siler, President of Nonacademic Employees Council, University of Illinois

The Senate of the University of Illinois at Chicago Circle affirms: "Its support of the present mode of popular election of the Board of Trustees of the University of Illinois."

"The Council wishes also to express its confidence in, and support of, the present University of Illinois system."

G. Magner, Chairman of the Academic Council at Chicago Circle

Community College Board

"The Illinois Community College Board appears to be moving toward the role of state-wide governing or controlling board rather than a coordinating board. I think this trend must be reversed if the community colleges are to continue to be able to relate to local needs."

H. McAninch, President of Joliet Junior College

"Control of the junior colleges by the public through its board of trustees is a facade. You will find that most junior college boards are 'handled' by their chief administrator. You will find that this control by administrators extends to the Illinois Community College Board."

W. Brinkman, President of AFT Local 604 at Joliet Junior College

"However, I would hope that the committee would recognize and support the concept that the responsibility, governance, administration, and operations of the community college districts is vested in the local district community college board of trustees, and that the Illinois Community College Board would provide general statewide planning, coordination, and leadership for statewide studies.

"It should also be indicated that the Illinois Community College Board has officially requested Mr. Furman to refer to the Committee on Governance the issue of governance for the State Community College of East St. Louis."

F. Wellman, Executive Secretary
of Illinois Community College
Board

Southern Illinois University

"Because of the current political activity re changes in the governing board of SIU-E, we felt written statements relative to Question 5 would be inappropriate."

V. Lindsay, Chairman of Ad Hoc Committee at Southern Illinois
University-Edwardsville

"The State Superintendent's position should be replaced with a public member. No other change is needed on the SIU Board, Board of Governors or Board of Regents. The need to elect U of I Board members is purely historical and its present method gives excessive alumni control.

"I am not familiar enough with the Community College governance situation to given an in depth comment. It is noted that this area must be responsibly controlled or it will be an excessive drain on state resources. Individual boards tend to become administrators and lobbyists for their institutions.

"The need for carefully considered appointments to boards of the various Systems has never been greater. The Governor should be very concerned that he make the best possible appointments. These boards can never be greater than the quality of people appointed to them, not only as individuals, but also as a team.

"The naming of student trustees has been neither the bane nor the blessing forecast. Most boards have effective student input in other ways. The student members have been somewhat helpful, but have tended to represent their constituency rather than the needs of the state for education. Their feed back to the campus has not been as effective as liaison created by our Board with student government. Because of their short terms, they can never be expected to be truly valuable board members."

I. Elliott, Jr., Chairman of Board
of Trustees of Southern Illinois
University

6. OTHER COMMENTS

"The 'system of systems' is not working."

T. Pugh, Associate Editor of the
Peoria Journal Star

"I believe it would be a mistake to recommend major changes in the governance of higher education at this time. What we need is a period of stability so that everyone concerned with higher education knows where they stand and what the policies and procedures are. Educational institutions do not profit, in my judgment, by being in a constant state of uncertainty. The administrative philosophy of creative tension has no place in a university."

G. Fite, President of Eastern Illinois
University

"Most changes in governance in states with high quality higher education have few positive results and generally cause an undue amount of attention to be paid to structural tinkering at the expense of ongoing academic concerns. There is no single governance structure which can be said to be the 'right' or 'perfect' model. Each governance plan has strengths and each has weaknesses. The basic questions, then, are the pragmatic questions--'Is what you have now working?' or 'Is what you have now so bad that change is essential?'"

J. Corbally, President of University
of Illinois

"I believe that within the past two years Illinois higher education finally seems to have ingested the system of systems structure and that it finally is beginning to function very well. I believe any changes should be made very carefully, if there is any reason to change at all."

R. Brune, Chairman of Illinois
Community College Board

"The BHE needs to strengthen its role as the advocate and spokesman for higher education in Illinois."

Western Illinois University
Faculty Senate

The Senate of the University of Illinois at Chicago Circle affirms: "Its agreement with President Corbally's view, indicated in his response of May 16, 1975, that several of the question posed cannot be addressed in a cogent way without knowing the criteria for assessing improvement in effectiveness, coordination, planning, and governance, and without evidence of a relation between governance structure and the quality of higher education."

"Speaking as a new President of a comprehensive State University, and as one that has come from another state, I would observe that the "System of Systems" approach makes campus administration sometimes difficult. For example, it takes a minimum of three months to get policy matters, and many administrative matters, through the approval mechanisms set up by a Governing Board and then the Board of Higher Education. Further, Governing Boards seem to be concerned with many administrative matters that perhaps could be delegated more effectively to the individual institutions."

L. Malpass, President of Western Illinois University

"The Academic Council (campus deans and directors) of the University of Illinois at Chicago Circle has reviewed the questionnaire and wished to express its support of the position stated by President John Corbally in his response to your Committee. The Council believes that the present mode of governance has the major advantage of allowing reasonable institutional program autonomy and internal resource allocations while still providing a strong central coordinating body. To move away from this balance (in either direction) could produce serious negative consequences."

G. Magner, Chairman of the Academic Council at Chicago Circle

"The basic problem is that a shift is occurring from the old collegial model, which assumed that the faculty and administration worked together as equals to solve their common problems, to a corporate management model, which assumes that expertise, competence, and resources are located at the top of the organizational pyramid and that the 'lower levels' should be following guidelines developed by the 'higher levels.' This shift is necessarily accompanied by increasing disregard of faculty bodies both at the individual campus level and the system level; it is also accompanied by such things as growing reliance on administrative staff 'expertise.' . . . In my opinion, we are in transition from the old model to a new situation in which collective bargaining replaces older models of faculty-administrative cooperation/coordination."

A. Pedroso, Chairperson of the University Senate at Northeastern Illinois University

SOUTHERN ILLINOIS
UNIVERSITY

Edwardsville, Illinois

University Senate

May 18, 1972

MEMO TO: Jerome Birdman

FROM: Carol A. Keene, Chairman,
Planning Council, University Senate

SUBJECT: Reactions to the Committee N Report to the BHE 1971

At the request of the Executive Committee of the University Senate, the Planning Council has reviewed the Report of Master Plan Committee N on Governing Structure. The Planning Council's assessment of this report follows and is to be considered as the official response of the University Senate.

Committee N has reached a series of conclusions regarding governance of higher education in the State of Illinois and has supported or attempted to support those conclusions with a variety of arguments that require careful scrutiny.

Its conclusions, in the main, are:

That the present BHE structure is performing well
That the "systems of systems" is workable, effective and justified
That campus "autonomy" exists within the respective systems
That the present configuration of systems affords a "balanced" arrangement of campuses and
That BHE program priorities, schemata and matching fiscal authority are justified by current circumstances.

Committee N sees the results of BHE operations as accomplishing the following objectives:

> Avoidance of "program duplication" and consequent extension of the higher education dollar
> Stimulation of "uniqueness" of each campus
> Establishment of Higher Education priorities for the State of Illinois
> Coordination of the "system of systems," as institutional boards "govern" and campus officers "administer," and
> Functioning as a "buffer" between and among systems and across legislative and executive state government.

In "coordinative functions": The BHE would engage in statewide master planning, statewide fiscal planning, would determine the scope and mission of systems and their campuses, and would have final authority in program review and approval.

Clearly, it is the recommendation of Committee N that the BHE control both monies and curriculum. Committee N, however, is not incognizant of the problems that might be anticipated by such wholesale consolidation of power at the top. Indeed, pages 29-36 of its report are expended on philosophizing about power in higher education and rationalizing contra "institutional boards," as if the latter were the only conceivable alternative to the "system of systems." In short, Committee N's concern about consolidation of power at the top does not deter it from rendering a favorable and only slightly qualified verdict on the performance of the BHE.

Before proceeding to examine the "system of systems" concept, it is indeed pertinent to ask what concepts this committee has concerning higher education: its value, its achievements, its real problems, and especially the faculty and curricular concerns that ultimately--for better or worse--define each institution's concept of higher education. But, unfortunately, there is no evidence in this report of a general commitment to higher education. To the contrary, Committee N dwells on such negatives as costs,

student unrest and public disenchantment. The conclusions and value judgments which it makes about higher education presumably are self-evident, since they are offered only with the most shallow argumentative support.

Yet the cogency of recommendations must be assessed against the presumptions made about higher education and the evidence cited for them.

> ". . . more power should be vested in the Higher Board and its staff to facilitate the accomplishment of needed changes in the educational process. The need for change--even radical change--is apparent."
>
> "A reality of modern university life which cannot be ignored is widespread student unrest, disenchantment with the educational process . . . ."
>
> ". . . the deterioration in the quality of instruction, lack of rapport between campus and community . . . ."

Such passages are indicative of Committee N's attitude toward the higher educational process.

The shallowness of Committee N's conception of higher education can best be substantiated, however, by quoting an extraordinary paragraph regarding the University of Illinois System:

> The great strengths and unquestioned excellence of the University's present central administration, rooted in Urbana-Champaign and reflecting that institution's values and aspirations, are precisely its greatest faults as far as Chicago Circle is concerned (p. 48).

This is an incredible concept of higher education; that what is excellent in Urbana is useless in Chicago; that there are two higher educations, one rural, one urban. How can higher educational strengths in Urbana become faults in Chicago? The Committee perceives the University of Illinois as "rooted" in area and tradition; a great narrow-minded institution, it would seem, however "unquestioned" its "excellence" be.

Of course, closely interwoven with its comment on the University of Illinois System is Committee N's view that "program duplication" should be avoided, presumably to "stimulate" the "uniqueness" of each campus. But at whose expense is "program duplication" to be avoided? Committee N fails to raise this question. Yet it is a crucial question. For only the affluent student would have the financial resources and mobility to pursue a chosen program at a university located outside his home territory. Is public higher education in the State of Illinois to become the servant of the affluent? Presumably so, if Committee N's recommendations are to be taken seriously.

According to the Committee N report, the panacea for the ills of higher education is the "system of systems." What can be said of this concept? Committee N observes that, even this early in the BHE's development, the BHE has shown tendencies to by-pass System Boards. But, instead of carefully scrutinizing the "system of systems" concept, Committee N chides the System Boards for not exerting their review functions and for assuming roles of transmission and pleading. These are very early symptoms that, contrary to Committee N's verdict, not all is well with this system that supposedly is apolitically and regionally balanced.

Nevertheless, Committee N considers the "system of systems" a highly adequate vehicle for effecting a much-needed "radical change" in all levels of higher education. Yet, if such changes are to arise from campus faculties, programs advanced must endure a minimum of eight levels of ratification, with perhaps as many scrutiny stops as a dozen. The channels are more than constricted enough to intimidate most program advocates. Only a program with the very highest endorsement has even the remotest

probability of success. In effect, the BHE, or its staff, is invited to institute the most rigid of program orthodoxies, thereby stifling, rather than stimulating, the winds of change at the campus level.

Though Committee N advocates "radical change" for all levels of higher education, it apparently exempts the BHE from such change. Yet the "system of systems" is at best a pedestrian expedient for an interim mode of governance. Certainly, Committee N must be aware of the grave doubts about the "Trustee" mechanism of legal higher education governance, even though it ignores recent reports on make-ups of both institutional and system boards. The committee elects to describe representatives as "public" and "lay" representation, but, in fact, such boards actually tend to represent business, industry and wealth, with only rare representations of any other constituencies. Of course, only such representatives have the optional use of their time, and enough collateral resources to award significant time to board governance. Apparently they find it worth their while. The committee, in effect, finds no impropriety in endorsing governance of higher education in Illinois by part-time amateurs from a highly select stratum of society. What are the qualifications for higher boards of education of any type? Committee N fails to come to grips with this important question. Hence, there is not only an issue of concentration of power in the BHE; there is the equally important issue of competence of system boards.

Another theme stressed by Committee N is accountability. But it appears that it will be administration and faculty that will be accountable. All system boards and the BHE will be appointed by the Governor. The Board

perhaps a legislative body for higher education, or an expanded Higher Education Committee within the State Legislature, or State-Wide Coordinating Councils (with real authority), or even in ultimate desperation a remanding of fiscal, curricular, and program authority to administrations and staff that traditionally, and still by State Statute, have responsibility for, and competence in, the final common educational pathway, the classroom.

The logic of a state system is, on the face of it, tempting, even more so, if the arena of concern were anything but higher education. Committee N suggests that the "system of systems" will effect an extension of the higher education dollar. But is there no danger of blight from the top? Even were we to leave this possibility aside, what price will higher education pay to have its dollar extended by a "system of systems"? The avoidance of program duplication spells an elitist educational system and thereby the abandonment of the ideal of mass education. The concentration of fiscal and program authority in the BHE signals program innovation by decree from those at the top, from those who are most removed from the arena of the classroom. Perhaps, after all, allocating funds according to some reasonable formula and holding a campus responsible is not the worst way to "govern" or "coordinate" higher education. Indeed, without too much more experience with systems and systems of systems, it may be found to be the best way, because it allows the internal dynamics of higher education to function and revivify itself. Otherwise, campuses will learn to await the latest writ from the Board consistory. What happens to the "market place of ideas" if the higher board is the final common pathway of approval?

staffs will be creatures of the Board. Accountability, it appears, will only ascend, not descend, thereby securing a consolidation of power at the top.

Committee N also stresses the necessity for campus "autonomy." There is no known definition of the term applicable to the Committee's usage, however. For if the BHE has statewide program and fiscal authority, what is left for the campus? The educational process? Well, it appears that Committee N and the BHE have intentions there, too, if the first quotation on page 2 is to be taken seriously. Hence, although Committee N advocates "autonomy" for the BHE, the system boards and each campus, its indiscriminate use of this term does not obscure the realities of the endorsed structure. The BHE Staff alone has fiscal, program, process, and priority autonomy. And it has already demonstrated its intention to use that autonomy in deciding what higher educational priorities shall be in the State of Illinois.

Committee N's report suggests that the only alternatives to the "system of systems" are one large board or 12 more or less "independent" campus boards. If the University of Illinois is "rooted" in tradition, Committe N is rooted in traditional board concepts. Committe N's hope to insulate higher education from "the winds of political chance" may be laudable. However, it assumes that appointment by the Governor to System and BHE Boards will be made independently of political considerations. Committee N observes: "State officials must be reminded that higher education is unique among the functions of government." Does it not follow, using Committee N's own rationale, that some unique composite of constituencies and competencies might be required to "coordinate" higher education,

Given the above, it is somewhat ironic that Committee N raises the issue of conformity as an almost certain consequence of "Institutional Boards." The fear is expressed thus: "Under a system of individual boards, each institution is much more likely to try to emulate the leading university. . . than try to break new ground in the pursuit of special objectives" (p. 35). One wonders whose special objectives?

Committee N sees the "system of systems" as an effective counter to conformist trends and as a much-needed vehicle to stimulate the "uniqueness" of each campus. But on what evidence does Committee N decide that higher education in the United States is not diversified, has not been responsive, is not meeting human needs? Certainly, to emulate the better or the best is not a failing, especially in view of the enormous cultural and scientific outpourings from higher education. To assume that either students or faculty want their campus to be a U. of I. or a Berkeley is to ignore that such institutions created their own identities under the very systems that were not supposed to provide potential for diversity. Colleges and universities have been adaptive enough to enlarge themselves enormously. Most of the dramatic changes of our times have originated on college and university campuses. And it must ever be thus. To say that colleges must diversify and change "radically" is to ignore that they have. From Harvard to Slippery Rock, diversity is everywhere. "No institution can be all things to all people," says the Committee. Neither can one super board be Higher Education for everyone.

Whatever equity higher education has in the State resources system, it requires great imagination to perceive any diversity whatever descending

from a philosophical, governmental monolith. Short of an infinitude of wisdom, what Board, however conceived, can program with certitude the course of higher education. Indeed, it is the antithesis of higher education that it should go in any direction except as higher education perceives new realities in the past and new potentialities in the future. What conceivable board could have such competence?

"Institutions of higher learning deal not only with brick and mortar but also with ideas upon which our society must build a better future. Committee N believes that the State of Illinois must develop methods of implementing a searching review of higher education without impinging unduly on the integrity of the educational process." (Italics added.) The Committee N report is not at all persuasive that it understands the higher educational process, the extreme fragility of the pursuit of ideas, the historical regularity of government imposed orthodoxies, the ultimate necessity for academic freedom, the historical restlessness of students, and the perennial skepticism of the public. It is in the interest of civilization that higher boards, however constituted, primarily represent higher education to the public, rather than represent the public to higher education. Perhaps only the lay wealthy could have sufficiently emancipated backgrounds and financial independence to represent higher education to the public. But, apparently, the traditional boards have now changed sides. In this case, they will increasingly be perceived as the public's boards, not ours. Then it may be argued that people's representatives should comprise the boards, if all traditional boards are to function only as surrogates.

SUMMARY:

Committee N suggests that the basic issue before it is twelve boards versus four systems and one higher board. This, however, is not the chief issue confronting higher education in the State of Illinois, if for no other reason than the fact that each system will interpose its own subsystems with the practical consequence being a systems of systems that squares and cubes the complexities of an already sufficiently complex operation of higher education. The real issue here is the concentration of power in the BHE and the competency of system boards to administer higher education in Illinois by fiat. Unfortunately, Committee N does not perceive the internal conflicts and inconsistencies in accepting BHE emphasis on diversity, innovation, uniqueness, excellence and relevance, while endorsing an increasingly stratified board, and deducting matching amounts of authority from lower boards, administration, and faculty. It does not perceive the latent contradiction in asking for rapid, dramatic, urgent expedients through a multilayered, convoluted, conservative, bureaucracy. That Committee N fails to see such inconsistencies in its recommendations suggests its lack of understanding of the higher educational process. Its recommendations, in effect, would concentrate fiscal, program and priority authority in the BHE, in the hands of those who are already becoming detached from such essentials of higher education as teaching and learning, students and faculty, and, concomitantly, would render campus "autonomy" but an interesting problem of semantics.

For these reasons, the Planning Council cannot endorse the recommendations of Committee N.

cc: Andrew Kochman
John Rendleman
Members of the Executive Committee

Southern Illinois University - Board of Trustees
CARBONDALE, ILLINOIS 62901

June 30, 1975

Mr. Edward Armstrong, Chairman
Committee on Governance
Illinois Board of Higher Education
119 South Fifth Street
Springfield, Illinois 62701

Dear Mr. Armstrong:

You have been sent responses from other system executive officers directed to the five questions attached to your May 9 memo. Those officers have been kind enough to send me courtesy copies of their letters to you. I find myself essentially in concurrence with the points mentioned in their materials and will refrain from repeating to you in slightly different language their positions. I should like, however, to provide the attached comments on governance to you and your committee, even though they are not structured by your questions of May 9.

Sincerely yours,

James Brown

James Brown
General Secretary
Southern Illinois University System

Attachment

COMMENTS ON GOVERNANCE

Governance of statewide higher education in Illinois as presently constituted is a perfectly workable arrangement which handles quite well many of the problems and stresses of a wide-scale and complex activity. Some strains, of course, are more easily absorbed than others, but in the main, high quality results in a difficult arena are consistently produced. In practice, I suspect, a genuine "system of systems" model for governance in higher education is working, even though we have no adequate theory for the model and there exists no specific formulation of the understandings which permit the model to work.

Certainly the original typology for the "systems" as eludicated in connection with Master Plan II was flawed. For instance, the term "fully-developed, multi-purpose university", which was one of the typology categories, can be matched against educational or functional characteristics and could provide a meaningful descriptive label for an institution. On the other hand, the term "state universities and colleges" is insufficiently descriptive and does not provide a functional distinction of any value in characterizing public universities.

The labels perhaps make little difference, since in point of fact there were and essentially there exist today significant and genuine differences among the groups of institutions initially clustered under the aegis of the MP II typology. Those differences among and similarities within groups of institutions have in practice contributed strongly to the effectiveness of higher education governance in the State of Illinois for the past ten years.

Discussions dealing with the typology of MP II included the phrase "functional unity and cohesion" as applied to institutions under a single governing board. This phrase is wrong-headed, I think, if it is used to mean

that each institution under a governing board is identical to all others under the same board. But if the phrase is understood to mean that the institutions under a governing board together manifest a functional unity and cohesion, then it is a helpful phrase, especially if we remember that the governing board itself plays a role in the achievement of functional unity and cohesion. For a system is properly conceived as a collection of elements which function together in some interrelated way so that some goal is accomplished. When institutions are governed together as a system, it is possible to display "functional unity and cohesion".

A major consideration affecting the "system" of institutions under a single governing board includes for public institutions the vital area of politics. As a prime consumer of state resources and a social and cultural focus of attention from parents, students, communities, various interest groups, and the press, higher education frequently serves political forces as a convenient battleground, whipping boy, scapegoat, or launching pad for other issues. Sometimes, higher education can even be the stimulus to statesman-like commitment to the welfare of citizens. The problem facing a governing board with several institutions under it is that of reconciling local political needs with overall system needs and statewide political and educational realities. In this regard, the development of the IBHE as a device for at least formulating statewide higher education issues, positions, or needs has served to support the system governing board in dealing with local politics by providing a visible and tangible forum for proposals and action about statewide higher education policy. In fact, the IBHE is quite appropriately conceived as a form of interface or no man's land between politics and higher education. Like no man's land, it sometimes bears the brunt of random shelling and frequently touches upon strongly entrenched antagonisms.

The IBHE buffer role is, of course, part of its system function in the "system of systems". If there were a statewide governing board with authority over all institutions, the buffer role would not be present--confrontation between politics and education would have no moderating medium to cushion the blows, and drastic changes could occur over relatively minor issues. If there were neither a central governing board nor a statewide coordinating board, then individual governing boards would be called to respond when political or legislative extremes were enimical. And the chances of any single board consistently winning such contests are remote.

It is certain that separation of present systems in Illinois into individual institutions, each with its own governing board, would result in political divisiveness, in loss of political strength, and in a return to the pre-IBHE free booter days of heavy-handed political favoritism. To assert the absolute autonomy of any institution of higher education or even its autonomy to the extent of calling for a single governing board for it is to deny the realities of state policy and the necessities of appropriate function which these times have developed.

The other extreme--of amalgamating all systems into one statewide authoritative governing board--creates a political base, by association, of the entire State, which is too broad a base to hold together. A single governing board for higher education throughout the State, would foster political strife rather than utilize the traditional partisan adversary machinery to promote the health of the State. The temptation to grab for power would be more than some could stand, and control of such a central board would be only a symbol of political prominence. Higher education would not profit by either extreme, nor would those whom it serves.

In all the complexities of governance for higher education in Illinois there is one troublesome anomaly which persistently calls for attention, even

though there may be no workable resolution for it. That anomaly is the role of private higher education in the State. Millions of dollars of state money are provided to private higher education institutions in the State each year, but those institutions and their boards are not considered part of the "system of systems", nor do the budgetary, policy, and programmatic restraints applying to public higher education institutions apply to private institutions. For that matter, the major prestigious private higher education institutions in the State apparently do not even pay much attention to those public institutions which must undergo such complex activities as coordination by IBHE in search of the tax dollar. Indeed, interests supporting the welfare of private higher education in the State seem to be determined to define policy for public institutions with such results as the current hue and cry about the tuition gap, say, or a continually expanding ISSC program which increasingly diverts state resources from public institutions into private ones.

Perhaps related to this matter is that of membership on the Board of Higher Education. One of the deadly temptations attendant upon recognizing the disparate rights of many individuals is the idea that no class or category of people can be represented except by itself. The temptation to recognize numerous constituencies through specific representation on a body like the Board of Higher Education, however, is fatal. The responsibility of a Board of Higher Education member is to the citizens of the State of Illinois. He can not afford to constrain his function to the welfare of any single constituency. This same reasoning applies to the representative function of the board member of every governing board in higher education in the State, including ex-officio members and any others not appointed by the Governor or named by the electorate. For higher education can thrive as long as it focuses on its ultimate purpose--the

realization of the individual's potential--and when it loses sight of that responsibility in favor of partisan or issue-oriented representation, then it is headed for trouble.

James M. Brown
June 30, 1975

A STATEMENT ON GOVERNANCE

by

Richard J. Nelson, President
Northern Illinois University

The system of governance of public higher education in Illinois has been anything but static for the last quarter of a century. Prior to 1949 there had been but two governing boards for over thirty years: the Board of Trustees of the University of Illinois, and the State Teachers College Board which governed the campuses at Carbondale, Charleston, DeKalb, Macomb and Normal.

In 1949 the General Assembly enacted a bill which gave Carbondale autonomy and its own board of trustees. The chronology of change in governance beginning in that year has been as follows:

1949 Carbondale given autonomy and its own board.

1961 Board of Higher Education created to coordinate higher education in Illinois.

1965 Creation of Board of Governors of State Colleges and Universities to govern Charleston, DeKalb, Macomb and Normal as well as the two campuses formerly constituting the Chicago Teachers College which had been under the Chicago Board of Education.

1965 Creation of Illinois Junior College Board.

1967 Board of Regents carved out of the Board of Governors and to govern Northern Illinois University and Illinois State University in recognition of their evolution as more comprehensive universities.

1969 Establishment of Governors State University and Sangamon

State University with Governors State University to be governed by the Board of Governors and Sangamon State University by the Board of Regents.

This pattern of governance that has evolved has been characterized as a "System of Systems." It is not based on grouping institutions by their status or level of work offered (except for the community colleges) as has been done in California and some other states, but seemingly on an attempt to have four senior systems that are roughly equivalent in size as to the number of students served. It might be characterized as an equalization of power or "political approach" to the problem of governance. The University of Illinois as the established comprehensive land-grant university of the state has a unique and accepted role in the system, although the position and role of the Chicago Circle campus is not as clear to many as it apparently is to some in Urbana.

As a result of my experience as a product of, observer, governor and administrator in public higher education in Illinois for forty years, I identify what I feel is a major weakness with respect to the four senior systems. Two of the systems are governed by boards that perceive of their role as being advocates for their campuses. These are the University of Illinois and Southern Illinois University boards. The other two boards, the Board of Governors of State Colleges and Universities and the Board of Regents, have a tradition of keeping their institutions in check, of challenging their aspirations, of performing much the same function that the Board of Higher Education performs for all of higher education in the state. The institutions in these two systems get what I like to call "the double scrub."

These two disparate approaches to governance have deep roots. For one thing, with very few exceptions, trustees of the University of Illinois are alumni of the University nominated by committees of the Alumni Association. A

pattern of appointing residents of the southern Illinois area to the Southern Illinois University Board developed immediately after its creation, and although somewhat diluted in recent years, there is still a strong tradition of regional support and commitment to Southern Illinois University which is reflected in a strong and distinctive political base. In 1964, as a member of the Board of Higher Education and seven years before I became president at Northern, I recommended that the following language be included in the original Master Plan:

"EXISTING GOVERNING BOARDS

43. No change be made in the composition of the three existing governing boards of the state universities except that:

a. The members of the Board of Trustees of Southern Illinois University be geographically representative of the state as a whole.

b. Alumni status not be a prerequisite for selection to the Board of Trustees of the University of Illinois."

It was approved by the Board and can be found on p. 68 of the July, 1974 Master Plan. Scant attention has been paid to it in the subsequent years.

In bringing up this issue relating to the difference in boards' perceptions of their roles and functions I do not suggest that either position is necessarily bad or good. I do assert that it makes for uneven input to the problem of distributing that share of the state's resources available for higher education. It creates serious problems of morale on campuses where faculty observe programs being rejected by their board and then see similar programs that they feel are less well presented and supported approved for another campus by a board with different standards.

How would I go about changing the present system to remedy what I think is a serious problem? First, let me say that I appreciate full well that to change significantly the existing method of governance would not be easy for there are important elements in the system that prefer the status quo. However,

I do not believe that these concerns should prevail if inequities can be lessened. I can think of at least three alternative systems:

1. Let each campus have its own board. This would enlarge the role of the I.B.H.E. and its staff, but the systems in Ohio and Michigan demonstrate that it can work. I know several presidents from both states who regard their systems highly. The Executive Director of the I.B.H.E. has had experience in the Ohio system and I am sure he has views on this approach. Such a system would save the costs of the systems offices although this would be offset in part by an expanded role for the I.B.H.E. staff.
2. A modification of the California system might be tried. One approach would be to let the University of Illinois keep its own board for Urbana and the Medical Center and place Chicago Circle along with two or three of the other larger and evolving universities in a system of less-developed universities. The remaining senior institutions would be the equivalent of the California College system. The community college system would be a natural component of such a system.
3. An alternative that I find unattractive would be having all campuses under one higher board. I think this would place too much power in such a board.

Of the three alternatives I believe the first is the best. Each institution could have a board of qualified persons selected in a way that parallelled its scope and mission statement. If an institution has a regional mission it should have a board selected from its service region. If it has a state-wide mission its board should be broadly representative of the state.

As I write this statement the fate in the General Assembly of the bill that would give Edwardsville a separate board is unknown. I believe that the fact that it has fared as well as it has suggests that the level of credibility for the

present system of governance in the General Assembly is not high. I submit that it is essential that an in-depth analysis of the "System of Systems" be undertaken and that either a persuasive defense be made for it, or a better alternative be offered, or otherwise institutions are going to be moved to continue to try to amend the present system in individual and self-serving efforts.

June 25, 1975

Appendix B

ATTORNEY GENERAL'S OPINION ABOUT MEMBERSHIP OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION ON THE BOARD OF HIGHER EDUCATION

WILLIAM J. SCOTT
ATTORNEY GENERAL
STATE OF ILLINOIS
SPRINGFIELD
62706

June 20, 1975

FILE NO. S-915

OFFICERS:
State Board of Education
Does Not Have Power to Appoint
A Representative to the Board
of Higher Education

-

James M. Furman
Executive Director
State of Illinois
Board of Higher Education
500 Reisch Building
119 South Fifth Street
Springfield, Illinois 62701

Dear Mr. Furman:

I have your letter wherein you state:

"Section 2 of 'AN ACT creating a Board of Higher Education' provides that one of the 17 members of the Board of Higher Education shall be the Superintendent of Public Instruction of the State of Illinois. Section 1A-3 of the School Code provides that a new State Board of Education shall assume full powers and duties of the Superintendent upon expiration of a term which ended January 13,

> 1975. Section 1A-4 provides that the State Board of Education shall appoint a chief education officer to be known as the State Superintendent of Education. The State Board has appointed a Superintendent of Education and has designated him to serve in place of the Superintendent upon those Boards and Commissions on which the Superintendent previously served.
>
> Based upon the above-described circumstances, I am writing to ask whether the Superintendent of Education is now a legal member of the Board of Higher Education. Your assistance is appreciated."

The office of Superintendent of Public Instruction was created by section 1 of article V of the Illinois Constitution of 1870. Said section required the Superintendent of Public Instruction to perform such duties as may be prescribed by law.

The office of Superintendent of Public Instruction was eliminated from the Constitution of 1970. Section 2 of article X of the Illinois Constitution of 1970 creates a State Board of Education (hereinafter Board) which in turn has the power to appoint a chief educational officer. Said section 2 reads as follows:

> "(a) There is created a State Board of Education to be elected or selected on a regional basis.

> The number of members, their qualifications, terms of office and manner of election or selection shall be provided by law. The Board, except as limited by law, may establish goals, determine policies, provide for planning and evaluating education programs and recommend financing. The Board shall have such other duties and powers as provided by law.
>
> (b) The State Board of Education shall appoint a chief state educational officer."

Subsequent to the adoption of the Illinois Constitution of 1970, the General Assembly passed Public Act 78-361, which became effective on October 1, 1973. Public Act 78-361 added article 1A to the School Code (Ill. Rev. Stat. 1973, ch. 122, pars. 1A-1 et seq.) which pertains to the selection of the Board and the delegation of powers and duties to the Board.

Section 1A-1 of the School Code (Ill. Rev. Stat. 1973, ch. 122, par. 1A-1) provides for a 17 member Board. Section 1A-3 of the School Code (Ill. Rev. Stat. 1973, ch. 122, par. 1A-3) provides that the Board shall assume full powers and duties after initial appointment upon the expiration of the term of the Superintendent of Public

Instruction elected in 1970. The term of the Superintendent of Public Instruction elected in 1970 expired in January, 1975. During the period from initial appointment until the expiration of the term of the Superintendent of Public Instruction elected in 1970, the Board functioned in an advisory capacity to and with the Superintendent of Public Instruction. Section 1A-3 and section 1A-4(b) together provide that the Board may appoint a chief executive officer to be designated as State Superintendent of Education. It is further provided that the effective date of the appointment of a State Superintendent of Education could not take place until the expiration of the term of the Superintendent of Public Instruction elected in 1970. (See, also, Ill. Const., Trans. Schedule, sec. 7.) Section 1A-4(b) provides that the Board shall set the compensation of the chief school officer and establish his duties, powers and responsibilities.

The provision of particular importance to your inquiry is that portion of section 1A-4(c) of the School Code (Ill. Rev. Stat. 1973, ch. 122, par. 1A-4(c)) which reads as follows: "The duties of the State Board of Education shall

encompass all duties currently delegated to the Office of Superintendent of Public Instruction and such other duties as the General Assembly shall designate." I am of the opinion that this provision is sufficiently ambiguous as to warrant the utilization of rules of statutory construction so as to ascertain the intent of the legislature. (See, Bergeson v. Mullinix, 399 Ill. 470, 479.) It is of particular importance to construe this provision in light of the other sections of article 1A and those provisions of law pertaining to establishment of a Board of Higher Education.

The Board of Higher Education was established in 1961 by "AN ACT creating a Board of Higher Education, defining its powers and duties, making an appropriation therefor, and repealing an act herein named". (Laws of 1961, p. 3819; Ill. Rev. Stat. 1973, ch. 144, pars. 181 et seq.) Section 2 of said Act made the Superintendent of Public Instruction an ex officio member of the Board of Higher Education.

The power of the General Assembly to make the Superintendent of Public Instruction an ex officio member

of the Board of Higher Education is clear; it arises from the legislative authority to define the duties of his office. (Ill. Const., art. V, sec. 1 [1870]; People v. Inglis, 161 Ill. 256; Baro v. Murphy, 32 Ill. 2d 453, 464; People v. Toll Highway Commission, 3 Ill. 2d 218, 223; 1972 Ill. Att'y. Gen. Op. 185, 187.) Thus, serving as an ex officio member of the Board of Higher Education was one of the statutory duties of the Superintendent of Public Instruction.

Since section 1A-4(c) of the School Code provides that the duties of the Board shall encompass all the duties currently delegated to the Office of Superintendent of Public Instruction, it must be determined if the board has been authorized to replace the Superintendent of Public Instruction as a member of the Board of Higher Education. It is at this point that certain rules of statutory construction must be utilized. Specifically, it is an elementary rule of statutory construction that where the intention of the General Assembly is so inadequately or vaguely expressed that the court must resort to construction, or where the language of the statute

admits of more than one construction, it is possible for the court to consider the results and consequences of a proper construction. Thus, where two constructions may be placed on a statute, the court will avoid a construction leading to absurd consequences. (City of Elmhurst v. Buettgen, 394 Ill. 248, 253.) In construing a statute to give effect to the legislative intent and purpose, the court should, if possible, give it a reasonable or common sense construction even though such construction qualifies the universality of its language. (Stiska v. City of Chicago, 405 Ill. 374, 379; People ex rel. Singer v. Ill. Central R. R. Co., 373 Ill. 523, 526; City of Elmhurst v. Buettgen, 394 Ill. 248, 253.) As a general rule, in construing a statute to ascertain the intention of the General Assembly, the statute should be construed as a whole or in its entirety, (Pliakos v. Ill. Liquor Comm., 11 Ill. 2d 456, 459), and the legislative intent gathered from the entire statute rather than from any one part thereof. (People ex rel. Nelson v. Olympic Hotel Bldg. Corp., 405 Ill. 440, 444.) To construe the aforementioned portion

of section 1A-4(c) as authorizing the Board to take over the duty of the Superintendent of Public Instruction to serve as a member of the Board of Higher Education would lead to absurd consequences. Section 1A-1 of the School Code provides that the Board shall consist of 17 members, surely it cannot be argued that the General Assembly intended to add 17 members to the Board of Higher Education.

I am of the opinion that section 1A-4(c) does not inherently authorize the Board to appoint a representative to serve on the Board of Higher Education. There is nothing in section 1A-4(c) or the other sections of article 1A that clearly indicates such a legislative intent. Furthermore, on July 24, 1972, I advised the Superintendent of Public Instruction, Michael J. Bakalis, that he did not have the statutory authority to designate a representative to serve for him on the Board of Higher Education. (1972 Ill. Att'y. Gen. Op. 185.) Specifically, at page 187, I stated:

> "Thus, the rule is that, absent statutory authority, the Superintendent of Public Instruction may not delegate any duty involving the exercise of discretionary authority and any attempt on his part to do so would be invalid."

Additionally, the General Assembly was aware in its enactment of article 1A of a need to have a close working relationship between the State Board of Education and the Board of Higher Education. Section 1A-4(d) of the School Code (Ill. Rev. Stat. 1973, ch. 122, par. 1A-4(d)) requires three members of the State Board of Education and three members of the Board of Higher Education to serve on a joint Education Committee.

I am of the opinion that the State Board of Education does not have the statutory authority to appoint the State Superintendent of Education to serve on the Board of Higher Education.

Very truly yours,

William J. Scott

ATTORNEY GENERAL

APPENDIX C

DATA ABOUT COORDINATING AND GOVERNING BOARDS

Table 1

PUBLIC INSTITUTIONS GOVERNED BY
MULTICAMPUS GOVERNING BOARDS

State/Agency or Board	Number Governed		
	Public Junior Institutions	Public Senior Institutions	Vocational Institutes
Alabama			
Board of Trustees, University of Alabama		3	
Board of Trustees, Auburn University		2	
State Board of Education	19	2	
Arizona			
Arizona Board of Regents		3	
State Board of Directors for Community Colleges	12		
Arkansas			
University of Arkansas Board of Trustees		5	
California			
Board of Regents of the University of California		9	
Board of Trustees, California State University and Colleges		19	
Board of Governors, California Community Colleges	94		
Colorado			
Board of Agriculture		2	
Board of Regents, University of Colorado		4	
Board of Trustees of State Colleges		5	
Connecticut			
Board of Trustees, University of Connecticut System	5	1	
Board of Trustees, Regional Community Colleges	12		
Board of Trustees, State Colleges		4	
Board of Trustees, State Technical Colleges			4
Florida			
Board of Regents, State University System		9	
Division of Community Colleges	28		
Georgia			
Board of Regents, University System of Georgia	15	16	
Hawaii			
Board of Regents, University of Hawaii	6	2	

PUBLIC INSTITUTIONS GOVERNED BY
MULTICAMPUS GOVERNING BOARDS
(Continued)

State/Agency or Board	Number Governed		
	Public Junior Institutions	Public Senior Institutions	Vocational Institutes
Idaho			
State Board of Education and Board of Regents, University of Idaho	2	4	1
Illinois			
Board of Governors of State Colleges and Universities		5	
Board of Regents, Regency Universities		3	
Board of Trustees, Southern Illinois University		2	
Board of Trustees, University of Illinois		3	
Indiana			
Indiana State University Board of Trustees		2	
Indiana Vocational Technical College Board			7
Trustees of Indiana University		8	
Trustees of Purdue University		4	
Iowa			
State Board of Regnets		3	
Kansas			
State Board of Regents		6	
Kentucky			
Board of Trustees, University of Kentucky	12	1	1
Louisiana			
Board of Supervisors of Louisiana State University and Agricultural and Mechanical College	2	4	
Board of Supervisors of Southern University and Agricultural and Mechanical College	1	2	
Board of Trustees for State Colleges and Universities		8	
Maine			
Board of Trustees, University of Maine	2	6	
Maryland			
Board of Regents, University of Maryland		5	
Board of Trustees of the State Colleges		6	
Massachusetts			
Board of Regional Community Colleges	13		
Board of Trustees, University of Massachusetts		3	
Board of Trustees of State Colleges		11	

PUBLIC INSTITUTIONS GOVERNED BY
MULTICAMPUS GOVERNING BOARDS
(Continued)

State/Agency or Board	Number Governed		
	Public Junior Institutions	Public Senior Institutions	Vocational Institutes
Michigan			
Board of Regents, University of Michigan		3	
Minnesota			
Board of Regents, University of Minnesota	2	3	
State Board for Community Colleges	18		
State Board of Education			33
State College Board		7	
Mississippi			
Board of Trustees, Institutions of Higher Learning		8	
Missouri			
Board of Curators, University of Missouri		4	
Montana			
Board of Regents of Higher Education	3	6	
Nebraska			
Board of Regents of the University of Nebraska		3	
Board of Trustees of Nebraska State Colleges		4	
State Board of Technical Community Colleges	6		7
Nevada			
Board of Regents, University of Nevada System	3	2	
New Hampshire			
Board of Trustees, University of New Hampshire System		3	
State Board of Education			7
New Jersey			
Board of Governors, Rutgers, The State University		3	
Board of Trustees, College of Medicine and Dentistry of New Jersey		5	
New York			
Board of Trustees, State University of New York	44	30	
Board of Higher Education of the City of New York	8	11	

PUBLIC INSTITUTIONS GOVERNED BY
MULTICAMPUS GOVERNING BOARDS
(Continued)

State/Agency or Board	Number Governed: Public Junior Institutions	Public Senior Institutions	Vocational Institutes
North Carolina			
Board of Governors, University of North Carolina		16	
North Dakota			
State Board of Higher Education	2	6	1
Ohio			
Board of Trustees of Bowling Green State University	1	1	
Board of Trustees of Kent State University	7	1	
Board of Trustees of Miami University	2	1	
Board of Trustees of Ohio University	5	1	
Board of Trustees of Ohio State University	5	1	
Oklahoma			
Board of Regents for the Oklahoma Agricultural and Mechanical Colleges	2	4	
Board of Regents of Oklahoma Colleges		6	
Oregon			
State Board of Higher Education		8	
Pennsylvania			
Board of State College and University Directors		14	
Board of Trustees, Pennsylvania State University	18	4	
Board of Trustees, University of Pittsburg	4	1	
Board of Trustees, Temple University	1	3	
South Carolina			
Board of Trustees, University of South Carolina	6	4	
State Board for Technical and Comprehensive Education			16
State College Board of Trustees		3	
South Dakota			
Board of Regents		7	
Tennessee			
Board of Regents, State University and Community College System	10	6	
Board of Trustees, University of Tennessee		5	

PUBLIC INSTITUTIONS GOVERNED BY
MULTICAMPUS GOVERNING BOARDS
(Continued)

State/Agency or Board	Number Governed		
	Public Junior Institutions	Public Senior Institutions	Vocational Institutes
Texas			
Board of Directors of Texas A & I University System		3	
Board of Directors of A & M University System		4	
Board of Regents of East Texas State University		2	
Board of Regents of Lamar University	1	2	
Board of Regents of State Senior Colleges		4	
Board of Regents of Texas Tech University		2	
Board of Regents of University of Houston		3	
Board of Regents of University of Texas System		11	
Utah			
State Board of Regents	5	4	2
Vermont			
Board of Trustees, The Vermont State Colleges	1	3	
Virginia			
Board of Visitors of College of William and Mary	1	2	
Board of Visitors of the Rector and Visitors of the University of Virginia		2	
State Board for Community Colleges	23		
West Virginia			
West Virginia Board of Regents	4	11	
Wisconsin			
Board of Regents, University of Wisconsin System	14	13	
Board of Vocational, Technical and Adult Education	3		36
Wyoming			
Community College Commission	7		

Table 2

CHARACTERISTICS OF BOARD MEMBERSHIP

	No. of Members	Elected by Public	Appointed by Governor	Appointed by Other	Ex Officio	Of Those Appointed, Number Representing: General Public	Public Institutions	Private Institutions	Proprietary Educ.	Voc.-Tech. Educ.	Students	Faculty	Other	Terms of Office (Years)
Alabama Commission on Higher Ed.	9		9			9								9
Board of Regents, Univ. of Alaska	9		9			8					1			8
Arizona Board of Regents	10		8		2	8							2	8
Arkansas Department of Higher Ed.	10		10			10								10
California Postsecondary Ed. Comm.	23		6	17		12	6	2	1	2				
Colorado Commission on Higher Ed.	9		9			9								4
Connecticut Commission for Higher Ed.	18		12	5	1	11	5	1	1					8
Delaware Postsecondary Ed. Comm.	11		11			6	3	1		1				
Florida Board of Regents	9		9			9								9
Board of Regents, U. System of Georgia	15		15			15								7
Board of Regents, Univ. of Hawaii	11		11			11								6
Idaho Board of Ed. and Board of Regents	9	1	7			8								5
Illinois Board of Higher Ed.	17		10	1	6	10	5				1		1	6
Indiana Commission for Higher Ed.	12		12			12								4
Iowa Board of Regents	9		9			9								6
Kansas Board of Regents	9		9			9								4
Kentucky Council on Public Higher Ed.	19		10		9	10	8						1	4
Louisiana Bd. of Regents	15		15			15								6
Board of Trustees, Univ. of Maine	15		14		1	14							1	7
Maryland Council for Higher Ed.	13		13			8	3	1	1					6
Massachusetts Board of Higher Ed.	11		7	4		6	4	1						5
Michigan State Board of Ed.	10	8			2									8
Minnesota Higher Ed. Coordinating Comm.	11		11			11								4
Mississippi Board of Trustees	13		13			13								12
Missouri Department of Higher Ed.	9		9			9								6
Montana Board of Regents of Higher Ed.	10		7		3	6					1		1	7
Nebraska Board of Regents, U. of Nevada System	9	9												6
New Hampshire Postsecondary Ed. Comm.	21		7	10	4	5	2	2		1	1			
New Jersey Department of Higher Ed.	18		9	7	2	9	5	1					3	6
New Mexico Board of Ed. Finance	13		11		2	11					2			6
New York Board of Regents	15	15				15								7
Board of Governors, Univ. of North Carolina	32			32		32								8
North Dakota Board of Higher Ed.	7		7			7								7
Ohio Board of Regents	11		9		2	9							2	9
Oklahoma Regents for Higher Ed.	9			9		9								9
Oregon Ed. Coordinating Council	16		14		2	5	2	1	1		1	1	3	3
Pennsylvania Department of Ed.	17		17		10	3	2	1	1					6
Rhode Island Board of Regents	19		13	2		4	3	1	1		1		3	3
South Carolina Commission on Higher Ed.	17		9		8	9	8							4
South Dakota Board of Regents	7		7			7								6
Tennessee Higher Ed. Commission	9		9			9								9
Texas Coordinating Board	18		18			18								6
Utah Board of Regents	15		15			15								4
Vermont														
Virginia State Council of Higher Ed.	11		11			11								4
Washington Council on Higher Ed.	30		9	21		9	8	2	1	2			3	6
West Virginia Board of Regents	10		9		1	9							1	9
Wisconsin Board of Regents	16		14		2									7
Wyoming Higher Ed. Council	9		3	3	2	3	2			1			3	5

Source: Education Commission of the States. "Survey of the Structure of State Coordinating or Governing Boards . . . as of January 1, 1975," Higher Education in the States, 1975.